

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5141 of 2019

Arising Out of PS. Case No.-445 Year-2018 Thana- ROSERA District- Samastipur

Sanjay Mahto, aged about 25 years (Male), son of Baidhnath Mahto,
Resident of Village – Bujurgdwar, P.S. Khanpur, District, Samastipur ...
... Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Rosera P.S. Case No. **445 of 2018** registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 996 litres illicit liquor from a Boero car.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner and he has nothing to do with the alleged recovered liquor. Similarly placed co-accused Deepak Kumar and another and Santosh Kumar have already been granted bail by a co-ordinate Bench of this Court vide order dated 23.01.2019 passed in Cr. Misc. No.2988 of 2019 and order dated 30.01.2019 passed in Cr. Misc. No.4993 of 2019 respectively. Petitioner is in custody



since 02.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 3rd – cum- Special Judge, Excise Act, Samastipur, Distirct, Samastipur in connection with Rosera P.S. Case No. **445 of 2018** , with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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