

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.615 of 2019**

Arising Out of PS. Case No.-173 Year-2018 Thana- SONBERSA District- Sitamarhi

Binod Kumar @ Binod Kumar Mahto, S/o Parikshan Mahto, R/v-Mohanpur,
P.S-Sonbarsa, Distt.-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Dr. Rabindra Kuamr, APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

3/ 13-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Sonbarsa P.S. Case No.173 of 2018** instituted for the offence under Section(s) 272, 273 Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that in the written report it is alleged that one truck was found in abandoned condition by the police. It is further alleged that police learnt that aforesaid truck was brought by this petitioner. There is recovery of foreign liquor and other articles as mentioned in the written report.

As such, from the written report, it appears that truck was found in abandoned condition. There is no recovery of any



article from conscious possession of the petitioner.

Petitioner is in custody since 29.11.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **ADJ II cum Special Judge, Excise Act, Sitamarhi**, in connection with **Sonbarsa P.S. Case No.173 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 of the bail petition that one more case under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of furnishing bail bond that he will not indulge in such activities in future, otherwise, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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