

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10891 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- SAHEBPUR KAMAL District- Begusarai

BHOLA MAHTO, aged about 26 years, (M) Son of Ram Padarath Mahto
Resident of Village - Panhas, P.S-Begusarai Town, Dist.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 420, 467, 468, 414, 279, 304(A), 304 and 120 (B) of the Indian Penal Code under Sections 30(a), 32, 27 and 41 (1) of the Bihar Prohibition and Excise Act.

Allegation is recovery of 3540.360 litre foreign liquor from the accidental truck and from the place of occurrence Baudhu Kumar and Vikash Kumar were apprehended who disclosed the name of petitioner and other eleven persons who were involved in trade of illicit liquor.

It has been submitted on behalf of the petitioner



that he is innocent and has been falsely implicated in this case only on the basis of disclosure made by co-accused Baudhu Kumar. He was not apprehended on the spot. He is in custody since 26.11.2018.

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 court below where the case is pending in connection with **Sahebpur Kamal P.S. Case No. 18 of 2018**, with following condition:-

(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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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 offence, after his release on
bail, the trial court shall take steps to cancel his
bail bond.

(S. Kumar, J)

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