

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12619 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

SHATGRUDHAN MAHTO, aged about 42 years, Male, Son of Late Saryug
Mahto, Resident of Village - Nath Chak, P.S.- Barh, District – Patna
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kr Singh No.1, Adv.
For the Opposite Party : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
31.12.2018 in connection with Special Case No. 12372 of 2018
arising out of Rail Bakhtiyarpur P.S. Case No. 156 of 2018 for
the offence alleged under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that petitioner was apprehended near the railway
track with the bag containing 20 liters of country made liquor.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He undertakes to
cooperate in the investigation, not to induce the witnesses or



tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No. 12372 of 2018 arising out of Rail Bakhtiyarpur P.S. Case No. 156 of 2018 to the satisfaction of the learned Special Judge, Excise, Patna, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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