

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18538 of 2019**

Arising Out of PS. Case No.-64 Year-2005 Thana- PHULWARISHARIF District- Patna

MAHAVEER MAHTO Son of Laldas Mahto Resident of Village - Nagwan
Mushwari, P.S- Janipur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirmal Kumar
For the Opposite Party/s : Mr.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 11-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence under Section 47-A Excise Act.

It has been submitted that the there is no allegation of
tempering alleged against the petitioner. The petitioner is in
custody since 11-01-2019.

This is a case of misuse of privilege of bail. The petitioner
was granted bail by the court below by order dated 11-09-2014.
Due to inadvertent mistake on the part of the pairvikar of the
petitioner, Haziri of the petitioner could not be filed from 14-11-
2017 to 11-01-2019. The petitioner is alleged to have misused
the privilege of bail for a period of 14 months. He has remained
in custody for three months.



Considering the aforesaid facts and circumstances, 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 in connection with Phulwarisharif P.S. Case No. 64 of 2005 to the satisfaction of Kumari Vijaya, learned Sub Judge-Xth, Patna with a condition that the petitioner will appear in the court below on each and every date and his absence of two consecutive dates, will result into cancellation of his bail bonds.

(Sudhir Singh, J)

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