

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21202 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- MANJHAGARH District- Gopalganj

Jaiyaki Mahto @ Jaiki Mahato, Son of Birendra Mahto, Resident of Village-
Lahladpur, P.S.-Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Manjhagarh P.S. Case No. 304 of 2018 registered for the
offence punishable under Sections 30(a), 38, and 41 of the Bihar
Prohibition and Excise Act, 2016.

Allegation is recovery of 146.88 litres of foreign
liquor from the agriculture field of petitioner.

It has been submitted on behalf of the petitioner that
nothing has been recovered from the conscious possession of
the petitioner and the alleged recovery was made from the open
maize field of petitioner which is an open place. Petitioner has
no criminal antecedent and he is in custody since 19.02.2019.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Second Additional Sessions Judge cum Special Judge, Excise, Gopalganj, in connection with Manjhagarh P.S. Case No. 304 of 2018, subject to the conditions that:-

(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 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)

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