

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1252 of 2019

Arising Out of PS. Case No.-616 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ashok Mahto @ Ashok Mahton @ Ashok Singh, son of Ramsewak Mahto @
Ramsewak Singh, Resident of Village-Lakho, Nipaniya tola, P.S. Muffasil,
District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Muffasil P.S. Case No.616 of
2018 registered for the offence punishable under Section 30(a)
of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 1207 litres foreign liquor
from the vehicle which was being driven by the petitioner.

It has been submitted on behalf of the petitioner that
he is the driver of the vehicle on payment basis and he was not
aware that what was kept in the vehicle. Petitioner has one
criminal antecedent in respect of similar offence and he is in
custody since 14.10.2018.

Considering the aforesaid facts and circumstances of
the case and also the fact that huge quantity of liquor has been



recovered from the possession of the petitioner and he is also accused in another similar nature of case, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, let the petitioner named above be released on bail **after completion of six months in judicial custody**, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Begusarai -cum-Special Judge, Bihar Prohibition and Excise Act, 2016, in connection with Muffasil P.S. Case No.616 of 2018, with following conditions:-

(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.

(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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