

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38169 of 2019

Arising Out of PS. Case No.-139 Year-2018 Thana- CHAKIA District- East Champaran

LAKHINDRA MAHTO Son of Parikshan Mahto Resident of village- Dardha,
P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 17-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Chakia P.S. Case No.
139/2018, instituted for offence under Section(s) 272 and 273 of
the Indian Penal Code read with Section 30(a)(c) of the Bihar
Prohibition and Excise Act.

Earlier prayer for bail of petitioner was rejected by this
Court vide order dated 29.10.2018 passed in Cr. Misc. No.
56932/2018 with observation to renew prayer for bail after six
months in the event no substantive progress is made in trial.

It is alleged in the written report that during checking
one truck was intercepted by the police near the godown of Sri
Paswan and the same was found loaded with huge quantity of
foreign liquor.



Report from the court below regarding stage of trial has been received, wherein it is mentioned that in the instant case charge has been framed on 22.05.2019, but not a single witness has been examined in this case till date.

Petitioner is in custody since 04.07.2018.

Keeping in view the period of custody spent by petitioner, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge VIIth-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Chakia P.S. Case No. 139/2018, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (III) if petitioner tamper with the evidence in the case, prosecution will be at liberty



to move for cancellation of bail bond of
the petitioner.

(Sanjay Priya, J)

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