

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68042 of 2019**

Arising Out of PS. Case No.-251 Year-2019 Thana- BAHADURPUR District- Darbhanga

NARESH MAHTO Son of Late Vishwanath Mahto Resident of Mohalla -  
Panda Sarai, P.S.- Laheria Sarai, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sameer Ranjan

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      04-11-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 30(a), 41(1) of the Bihar  
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in the  
present case. He submits that there is no recovery from the  
conscious possession of the petitioner but liquor has been  
recovered from the pick-up van. He further submits that earlier  
the petitioner was the accused in the same offence which is  
mentioned in para-3 of the bail petition. Petitioner is languishing  
in judicial custody since 08.08.2019.

In the facts and circumstances of the case, 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 to the satisfaction of the learned A.D.J.-IInd-cum-Special Judge Excise, Darbhanga in connection with Bahadurpur Police Station Case No. 251 of 2019, subject to the conditions that:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) 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.

**(Anjani Kumar Sharan, J)**

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