

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71949 of 2019

Arising Out of PS. Case No.-295 Year-2019 Thana- PARSA District- Saran

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Rajendra Kumar Mahto @ Rajendra Mahto Son of Late Jay Mangal Mahto
Resident of Village - Anyay, P.S.- Parsa, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Parsa P.S. Case No.295 of 2019 registered for the offence punishable under Sections 272, 273 and 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing has been recovered from the conscious possession of this petitioner and his name has transpired in the confessional statement of the co-accused.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it appears that the name of the petitioner has transpired in



the confessional statement of the co-accused from whose possession 50 liters of illicit liquor has been recovered and the petitioner is in custody since 31.08.2019, co-accused having been granted regular bail by a learned coordinate Bench of this Court in Cr.Misc.No.69514 of 2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Parsa P.S. Case No.295 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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