

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78112 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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DHRUV SAGAR @ DHRUP SAGAR MAHATO Son of late Janki Mahato
Resident of Village - Ukhai, P.S.- Saray OP, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Chandra Kant Mr. Navin Kumar
For the State	:	Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.08.2019 in connection with C III Case No. 129 of 2019 for the alleged offences under Sections 30(a) and 37(a)(d) of the Bihar Prohibition and Excise Act.

3. It is submitted that the petitioner has been falsely implicated in connection with the recovery of four litres of country-made liquor from the *chabutra* of *bathan* of the petitioner. It is submitted that no recovery has been made from the possession of the petitioner, rather he has been implicated by one Manish Singh, who is a veteran wine supplier. The petitioner was not arrested at the spot, rather he has subsequently surrendered on 22.08.2019 and as such, he has already suffered more than three months in custody. The petitioner claims clean antecedents.

5. Be that as it may, having regard to the period of custody since 22.08.2019, 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 learned ADJ-II, Siwan in connection with C III Case No. 129 of 2019, on the following conditions--



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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