

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75728 of 2019

Arising Out of PS. Case No.-270 Year-2019 Thana- BASOPATTI District- Madhubani

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Raja Kumar Mahto Son of Rajendra Mahto Resident of Village - Dhakjari,
P.S.- Arer, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Basopatti P.S. Case No. 270 of 2019**, registered for the offence punishable under Section 272, 273, 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

45 litres of Nepali wine each from two motorcycles is alleged to have been recovered. Petitioner was apprehended on the spot by the police.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this petitioner. There is no compliance of provision of section 100 Cr.P.C. Petitioner is in custody since 22.10.2019 having clean



antecedent.

Having considered the fact that petitioner has got clean antecedent, the petitioner above-named, is directed to be enlarged 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 **2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani** in connection with **Basopatti P.S. Case No. 270 of 2019**, subject to the following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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