

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75526 of 2019

Arising Out of PS. Case No.-263 Year-2019 Thana- BARAULI District- Gopalganj

RAJENDRA MAHTO, aged about 28 years, male, Son of Devnath Mahato,
Resident of Village - Salona, P.S.- Barauli, District - Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant who is a police officer has alleged that he received a confidential information that on 30.07.2019 at 3 p.m., illicit liquor is being transported on motorcycle and on receiving said information, he along with other police personnel reached said place and started vehicle checking and saw two persons sitting on two motorcycle coming carrying some liquors on motorcycles and when they were asked to stop, they fled away leaving their motorcycles. Upon search of motorcycle, 51.840 litres illicit liquor was recovered.



It has been submitted on behalf of the petitioner that petitioner is innocent and is a seizure list witness and he has been implicated in this case for the reason that said motorcycle is registered in the name of his brother. Petitioner has no criminal antecedent and he is in custody since 11.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barauli P.S. Case No.263/2019, with following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioner is found involved



in similar nature of offences, after his release on
bail the trial court shall take steps to cancel his
bail bond.

(S. Kumar, J)

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