

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80137 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- KHAIRA District- Saran

Upendra Mahto, Male, aged about 20 years, Son of Ramnath Mahto Resident
of Bhikhampur, P.S.- Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar Shrivastava, Advocate
For the State	:	Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 20-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Khaira PS Case No. 32 of
2019 dated 19.02.2019 instituted under Sections 272 and 273 of
the Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. The allegation against the petitioner is that he was
selling illicit liquor and when the police went on the information
given by the Chowkidar, three persons fled away in which the
name of the petitioner also transpired.

4. Learned counsel for the petitioner submitted that 20
litres of countrymade liquor was recovered from the bush and not
from the conscious possession of the petitioner and he is in
custody since 17.10.2019.

5. Learned APP submitted that the Chowkidar has
named the petitioner one of the persons who had fled away.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/-(twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, in Khaira PS Case No. 32 of 2019, subject to the condition that one bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Ranjeet/Rahul

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