

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78857 of 2019

Arising Out of PS. Case No.-362 Year-2019 Thana- BAJPATTI District- Sitamarhi

Upendra Mahto, aged about 55 years, Male, Son of Late Darogi Mahto
Resident of Puparhar, Ward No. 6, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

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

In this case, the petitioner is seeking bail in connection with Bajpatti P.S. Case No. 362 of 2019 registered for offences under sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, the police has recovered 26.600 liters of Nepali Saufi wine from the petitioner.

The petitioner is in custody since 21.10.2019.

Looking to the quantity of liquor recovered as also the period of custody, 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 Additional District Judge-II – cum



Special Judge, Excise Act, Sitamarhi in connection with Bajpatti P.S. Case No. 362 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Bajpatti police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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