

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83108 of 2019**

Arising Out of Case No.-1155 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Mithu Mahto (Male) Aged 30 years, S/o Late Baidhya Nath Mahto @ Prakash
Mahto R/o village- Imambari Light house, P.S.- Laheriasarai, District-
Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sweta, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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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 G.O. Case No. 1155
of 2019 (P.R. No. 13 of 2019 dated 12.11.2019) instituted under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. The allegation against the petitioner is that from
his house 150 litres of Nepali liquor has been recovered.

4. Learned counsel for the petitioner submitted
that the recovery is not from the conscious possession of the



petitioner and that he is in custody since 12.11.2019 having no criminal antecedent.

5. Learned APP submitted that the recovery is from the house of the petitioner.

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), Darbhanga in G.O. Case No. 1155 of 2019 (P.R. No. 13 of 2019 dated 12.11.2019), subject to the conditions that one of the 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.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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