

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77908 of 2018

Arising Out of PS. Case No.-299 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Shivji Mahto Son of late Khakhan Mahto Resident of village - Gaur Bujurg,
P.S. - G.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Tiwary

For the Opposite Party/s : Mr.Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with G.B. Nagar P.S. Case No. 299 of 2018
registered for the offence punishable under Sections
30(A)/34/36/38/41(i) of the Bihar Excise Act.

Allegation against petitioner is of recovery of 7
litres of country made liquor from his house.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Petitioner is in custody since 19.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd-cum-Spl. Judge Excise, Siwan, in connection with G.B. Nagar P.S. Case No. 299 of 2018 subject to the conditions that:-

(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 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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