

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79 of 2020

Arising Out of PS. Case No.-651 Year-2019 Thana- CHAPRA TOWN District- Saran

Dilip Mahto Son of Late Lal Babu Mahto Resident of Village - East
Dahiyava, Roopganj, Adda No- 2, P.S.- Town, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 30(a) and 41(i) (ii) of the Bihar Prohibition and Excise Act.

34.545 litres of illicit liquor has been recovered from the rented house of the co-accused.

It has been submitted on behalf of the petitioner that the present case is false and fabricated and petitioner has falsely been implicated in this case on the basis of confessional statement of the co-accused. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery. It has further been submitted that no case under Excise Act is made made out against the petitioner. The petitioner has no



criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Chapra Town P.S. Case No.651 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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