

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17671 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Sanjay Mahto @ Sanjay Mahato, aged about 22 years, Gender-Male, S/o-
Ramashray Mahto @ Ram Ashare Mahato @ Ram Shrey Mahato R/o-
Village- Akta Ward No. 2 @ Akhta Purwi @ Akhta Ward No. 2, P.S.- Suppi,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 13-05-2020 The matter has been listed and heard *vide* video conferencing in view of the lock-down imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Case No. C2/ 107/2020 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that from his possession 141 litres of Nepali liquor was recovered.

5. Learned counsel for the petitioner submitted that



the recovery has falsely been shown from the petitioner. It was submitted that the petitioner has no criminal antecedent and is in custody since 09.02.2020.

6. Learned APP submitted that there is recovery from the petitioner.

7. 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 ADJ II-cum-Special Judge, Excise Act, Sitamarhi in Case No. C2/ 107/2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that 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.



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

(Ahsanuddin Amanullah, J)

Anjani/ P. Kumar

