

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18220 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- HATHAURI District- Samastipur

UMESH MAHTO Son of Late Bhola Mahto Resident of Village - Chiknauta
Chowk, P.S.- Baligaon, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-05-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Hathauri (Shivajinagar O.P.) P.S. Case No. 24 of 2020 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

It is the case of the prosecution that from a hutment
adjacent to the road on a public land near a hat, 60 liters of
toddy was recovered. The petitioner was found in the hutment
and was taken into custody on 24.02.2020.

Learned counsel for the petitioner has submitted
that the petitioner is resident of a different place altogether and
per chance he happen to be present near the place where the
police had conducted raid leading to recovery of toddy. It has
also been submitted that the petitioner has no criminal



antecedent.

Considering the above submission and the period of custody of the petitioner, this application is allowed.

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 the learned 2nd Additional District Judge-cum-Special Judge, Excise, Samastipur, in Hathauri (Shivajinagar O.P.) P.S. Case No. 24 of 2020.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.



(iv) The said order shall be communicated to the Court below for the needful by the Registry through e-mail.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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