

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19581 of 2020

Arising Out of PS. Case No.-54 Year-2020 Thana- BIBHUTIPUR District- Samastipur

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SUNIL KUMAR MAHTO @ SUNIL MAHTO Son of Late Basudev Mahto
Resident of Singhiya Ghat, Ward no.08, P.S.-Vibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 12-10-2020 Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof. Learned counsel for the State states that he has no objection in this regard and the matter be taken up on merits in view of the stated urgency.

2. The petitioner is in custody since 07.03.2020 in connection with Bibhutipur P.S. Case No. 54 of 2020 for the alleged offences under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 851.040 litres of English wine from the house of the petitioner. It is submitted that the residential house is a joint house in which other family members are also residing. Similarly situated co-accused Amir Kumar Sahni has been granted bail in Cr. Misc. No. 22308 of 2020. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.



5. Be that as it may and having regard to the period of custody already suffered since 07.03.2020, 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 learned 2nd A.D.J. Cum Special Judge, Excise Act, Samastipur in connection with Bibhutipur P.S. Case No. 54 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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