

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22004 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- MAJORGANJ District- Sitamarhi

SIKANDAR MAHTO @ SIKINDAR MAHTO Son of Late Paspal Mahto
Resident of Village - Malahi Mejorgunj, P.S.- Majorganj, District - Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-07-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner seeks bail in Mejorganj PS Case No. 31 of 2020 registered under Section 414 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016 .

Having no criminal antecedent the petitioner's counsel submits that the petitioner is in custody since 19.2.2020 for alleged recovery of 68.7 litres of illicit liquor from a shop in the vegetable market. He submits that even as per prosecution case he was not in the shop at the time of recovery, as it is alleged that he was fleeing away. It is submitted that it is a case of false implication and the petitioner has no concern with the shop in question.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Sitamarhi in Mejorganj PS Case No. 31 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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