

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26298 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- BIBHUTIPUR District- Samastipur

PAWAN KUMAR MAHTO Son of Ram Bali Mahto @ Ram Bali Singh
Resident of Village- Virsahiya, Ward No. 07, P.S.- Bibhutipur, District-
Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-10-2020 . 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.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Biubhutipur PS Case No. 6 of 2020 registered under Sections 272, 273 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016 .

1064.520 liters illicit liquor has been recovered from a hut.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The recovery is from a hut with which the petitioner has no concern and which is accessible to the public at large. The implication is merely based on



suspicion and the petitioner is in custody since 7.4.2020.

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, Samastipur in Bibhutipur. PS Case No. 6 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, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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