

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21292 of 2020**

Arising Out of PS. Case No.-59 Year-2020 Thana- SIMRI District- Darbhanga

RAJAN KUMAR MAHTO Son of Ram Naresh Mahto Resident of Village-
Nandni Sibaisingpur, P.S.- Mohidi Nagar, District- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 01-07-2020 Learned counsel for the petitioner undertakes to

remove the defects, as pointed out by office, within three weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner, in the present application, seeks regular

bail in connection with G.O. Case No. 412 of 2020 arising out

of Simri P.S. Case No. 59 of 2020 registered for the offence

under Section 30(a), 41(i), 34(i)(ii) of Bihar Prohibition and

Excise Act, 2016.

Learned counsel for the petitioner submits that

petitioner was driver of the truck and nothing has been

recovered from his conscious possession. Learned counsel

submits that petitioner is in custody since 20.03.2020 having no



criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case where the petitioner is said to be in custody since 20.03.2020 having no criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge – cum – Special Judge (Excise Act), Darbhanga, in connection with G.O. Case No. 412 of 2020 arising out of Simri P.S. Case No. 59 of 2020 subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

