

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26403 of 2020

Arising Out of PS. Case No.-234 Year-2019 Thana- ROSERA District- Samastipur

PAWAN KUMAR MAHTO @ PAWAN KUMAR, Son of Ram Bali Mahto @
Ram Bali Singh, Resident of Village- Virsahiya, Ward No.-07, Police Station-
Vibhutipur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

Allegation against the petitioner is of purchasing and
selling the illegal wine.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272,273, 34 of the Indian



Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act (Amendment), 2018.

Learned counsel for the petitioner that there is no recovery from the conscious possession of the petitioner. There is recovery of huge quantity of foreign liquor from the house of Late Bindeshwar Mahto who happens to be Maternal Grandfather (Nana of the petitioner). The petitioner is in jail custody since 08.05.2020.

Learned APP for the State opposed the prayer for bail petition.

Petitioner is agreed to deposit a sum of Rs. 30,000/- (Rupees Thirty Thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Considering the aforesaid facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge, Excise, Samastipur in connection with Rosera P. S. Case No. 234 of 2019.

The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of Rs.
30,000/ (Rupees Thirty Thousand) in the Chief Minister Relief
Fund.

(Anjani Kumar Sharan, J)

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