

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28339 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- HATHAURI District- Samastipur

MANOJ MAHTO @ MANOJ MAHATO Son of Late Ram Bilash Mahato @
Late Ramvilash Mahto R/o Village- Parshuram, P.S.- Hathauri, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Hathauri P.S. Case No. 84
of 2020 (Computer Registration No. 562 of 2020), registered for
the offence punishable punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

06 litres of country made Mahua liquor is said to have
been recovered from the hut of this petitioner.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. Recovery has been made
from thatched hut which is situated in front of the house of



petitioner. Two more cases of similar nature is against this petitioner and in both cases he is on bail. Petitioner is in custody since 21.06.2020.

Keeping in view the period of custody and quantity of liquor recovered, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten 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 Hathauri P.S. Case No. 84 of 2020 (Computer Registration No. 562 of 2020), subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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