

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35553 of 2020

Arising Out of PS. Case No.-111 Year-2020 Thana- MADHWAPUR District- Madhubani

Baiju Mahto son of Late Sitaram Mahto Resident of Village- Dhari Ghat, P.O.-
Dewari, P.S.- Sadar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Shailendra Kumar-1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Madhwapur P.S. Case No.
111 of 2020, corresponding to G.R. No. 1178 of 2020, registered
for the offence under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, total 297.6 liters of
Nepali country-made liquor has been recovered from the Maruti
Car of the petitioner.

It is submitted on behalf of petitioner that petitioner is
not the owner of the car and nothing has been recovered from
the physical possession of the petitioner. Petitioner has got no
criminal antecedent, which fact has been stated in paragraph – 3
of the petition and petitioner is in custody since 20-09-2020.



Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner 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 learned Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Madhwapur P.S. Case No. 111 of 2020, corresponding to G.R. No. 1178 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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