

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74311 of 2019

Arising Out of PS. Case No.-325 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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OM PRAKASH MAHTO Son of Kari Mahto Resident of Ward No. 10,
Village - Madhu Tol, Jahangirpur, P.S. - Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Submission is that liquor was not recovered from the
possession of the petitioner nor the petitioner was there at the
time of recovery. The petitioner has stated on oath that he has
got no criminal antecedent. Name of the petitioner surfaced in
the confessional statement of co-accused.

Considering the lack of material against the petitioner
to compel him to go to jail, let the petitioner, above named, in
the event of his arrest or surrender before the Court below



within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Excise Case No. 325 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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