

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71263 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- MANSURCHAK District- Begusarai

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Biro Mahto @ Viro Mahto, Son of Bhutan Mahto @ Butan Mahto @ Vhutan Mahto, Resident of Village- Shohilwara, Ward No.2, Shamsa, P.S.- Mansoorchak, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Let the supplementary affidavit be kept on record.

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Mansoorchak P.S. Case No.31 of 2019 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. Learned counsel submits that nothing incriminating has been recovered from the possession of this petitioner.

Learned APP has opposed the prayer for bail.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that although the allegation against the petitioner is that from his possession some intoxicated like substance were recovered but no seizure list has been prepared by the police, the petitioner has no criminal antecedent and has remained in custody since 20.08.2019 as also that the similarly situated co-accused have been granted privilege of regular bail by a learned coordinate Bench of this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- II cum Special Judge, Excise, Begusarai in connection with Mansoorchak P.S. Case No.31 of 2019, subject to the condition as laid down under Section 437 (3) 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, of 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.

(Rajeev Ranjan Prasad, J)

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