

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84546 of 2019**

Arising Out of PS. Case No.-427 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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Bambam Kumar Mahto @ Bambam Kumar S/o Ram Sevak Mahto, R/o
Village- Khanua Tol Ward No. 04, P.S.- Benipatti, Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Town P.S. Case No. 427 of 2019 registered for the offences punishable under Sections 272, 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. It is further submitted that the petitioner was arrested by police on mere suspicion when he was found near the Scooty in question from which illicit liquor were recovered. Petitioner has no concern with the said Scooty and the illegal wine and



petitioner is in custody since 10.11.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that this petitioner was arrested by police on mere suspicion when he was found near the Scooty in question from which illicit liquor were recovered and that now the petitioner has filed a supplementary affidavit stating therein that the petitioner has no concern with the said Scooty and the illegal wine as also that the petitioner is in custody since 10.11.2019 and has no criminal antecedent, let the petitioner above named be released on bail in connection with Town P.S. Case No. 427 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Sessions Judge 2nd-cum-Special Judge, Excise Act, Madhubani, 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)

vats/ved

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