

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85641 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- SONBERSA District- Sitamarhi

VINOD KUMAR @ VINOD MAHTO Son of Parikshan Mahto @ Ram
Parikshan Mahto Resident of Village - Arazi Mohanpur, P.S.- Sonbarsa, Distt
- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-01-2020 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner, who is in custody, seeks bail in a case registered under Sections 272, 273, 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016 in connection with Sonbarsa PS Case No. 233 of 2019.

On receiving information regarding transportation and receipt of some illicit liquor the informant proceeded to the place where it was found that a truck was standing and some persons fled away. The driver of the truck has been apprehended and on search it was found that 872.64 litres of illicit liquor was loaded along with detergent. The driver of the vehicle in question has allegedly said that the same was for being



delivered to some person including the petitioner. Upon such allegation the petitioner has been apprehended and is in custody since 18.11.2019.

It is submitted that merely because earlier cases were pending against the petitioner he has been made accused in the instant case. Even as per prosecution case petitioner was not found from the place of recovery and there is no recovery from the petitioner to connect him with the offence.

Considering the rival submissions prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Sitamarhi in Sonbarsa PS Case No. 233 of 2019 subject to the conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date in the trial and if he fails to do so on two consecutive
dates, his bail will be liable to the cancelled.

(Madhuresh Prasad, J)

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