

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17373 of 2021**

Arising Out of PS. Case No.-416 Year-2020 Thana- SAKRA District- Muzaffarpur

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PRAMESH MAHTO @ PARVESH MAHTO S/O LATE DASI MAHTO R/O
VILLAGE-SARMASTPUR, P.S-SAKRA, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sakra P.S. Case No. 416
of 2020, registered for the offence punishable punishable under
Sections 272, 273 of the Indian Penal Code and section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

86.400 litres of foreign liquor has been recovered
from a hut situated behind the house of this petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. The hut in question does
not belong to this petitioner and he has got no concern with the



seized liquor. Petitioner is in custody since 16.10.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of the petitioner and bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Muzaffarpur in connection with Sakra P.S. Case No. 416 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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