

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21860 of 2021**

Arising Out of PS. Case No.-250 Year-2020 Thana- CHHAURADANO District- East
Champaran

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1. NARESH MAHTO Son of Bishun Mahto Resident of Village - Laxaman Nagar, P.S.- Mahuawa, District - East Champaran
 2. Jaibidesh Mahto Son of Lal Babu Mahto Resident of Village - Laxaman Nagar, P.S.- Mahuawa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

2 14-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioners seek bail in Chhauradano P.S. Case
No. 250 of 2020, registered for the offence punishable
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

54 litres of Nepali liquor has been recovered from the
motorcycle of petitioners.

It is submitted that no recovery has been made from
conscious possession of this petitioners. Petitioners were not



apprehended on the spot. Petitioners have no concern with the seized liquor. Petitioners are in custody since 15.01.2021.

Considering the fact that no recovery has been made from conscious possession of the petitioners and period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, East Champaran, Motihari in connection with Chhauradano P.S. Case No. 250 of 2020, subject to following conditions:-

(i) The petitioners 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, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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