

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22576 of 2021**

Arising Out of PS. Case No.-390 Year-2020 Thana- SURSAND District- Sitamarhi

NAGENDRA MAHTO Son of Late Ram Narayan Mahto Resident of Village-
Birakh, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Advocate Mr. Shashank Shekhar, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP

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

2 16-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

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 Sursand P.S. Case No. 390 of 2020 registered

for the offences punishable under Section

414/467/468/471/120(B) of the Indian Penal Code and Section

30(a)/36/41/41(1) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that from

the vacant land near the shop of the petitioner a truck along with

the vehicles from which 4617.48 liters of Indian Made Foreign

Liquor was seized.

Learned counsel submits that petitioner has got no concern with the said vehicles and from the place of occurrence. He has got no criminal antecedent and is in custody since 15.01.2021.

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

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that that nothing has been recovered from the conscious possession of the petitioner, petitioner has no concern with the vehicles from which the alleged recovery of liquor has been made, petitioner has no concern with the place from where the vehicles were said to be parked, petitioner is in custody in connection with this case since 15.01.2021 having no criminal antecedent, investigation against him is complete, but the trial is not likely to take place in near future, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – II – cum – Special Judge, Excise, Sitamarhi in connection with Sursand P.S. Case No. 390 of 2020, subject to the condition as laid down under

Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.