

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25664 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- BASOPATTI District- Madhubani

Jitendra Kumar Mahto aged about 22 years, S/O Late Laxman Mahto @ Late Ljhuman Mahto Resident Of Village Bundelkhand, P.S. Basopatti, District Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ugranath Mallick, Advocate
Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner who is in custody since 15.2.2021 seeks regular bail in connection with Basopatti P.S. Case No. 42 of 2021 for the offence punishable under sections 272, 273 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that a total of 90 liters of nepali country made liquor was recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that he is in custody since 15.2.2021 and he has falsely been implicated in the present case and due to suspicion he has



been made accused in the present case. He further submits that the petitioner has clean antecedent and this is a fit case in which he be released on bail.

Learned counsel appearing on behalf of the State has opposed the prayer for bail.

Considering the aforementioned facts and perusal of the FIR, it appears that huge quantity of nepali country made liquor has been recovered from the conscious possession of the petitioner, the court below shall verify the criminal antecedent of the petitioner and after being satisfied, the petitioner, named above, be released on bail on furnishing personal bond of Rs. 100000/- (One lakh) alongwith two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge Excise Act, Madhubani, in connection with Basopatti P.S. Case No. 42 of 2021 subject to the following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Ravi/-

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

