

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26102 of 2021

Arising Out of PS. Case No.-360 Year-2019 Thana- SAKRA District- Muzaffarpur

Umesh Mahto S/O Late Nandlal Mahto R/O Vishwakarma Chowk, Korigama,
P.S-Sakra, District Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr. S. Ehteshamuddin A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sakra P.S. Case No. 360 of 2019, registered for the offence under Sections 420/467/468 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

On a secret information that this petitioner alongwith other accused persons were unloading foreign liquor from a 6-wheeler, a raid was conducted and 1800 liters of foreign liquor was recovered and this petitioner and other accused persons fled away after seeing the police.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner is neither owner nor driver of the vehicle in question



and he is in custody since 28.01.2021. Petitioner is accused in one more case, in which, he is on bail.

Learned A.P.P. for the State has opposed the bail petition.

Considering the huge recovery of illicit liquor, the above named petitioner is directed to be released on bail, **after framing of charge**, on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court-below where the case is pending in connection with Sakra P.S. Case No. 360 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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