

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28018 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- MAHESHKHUNT District- Khagaria

UTTAM KUMAR MANDAL @ UTTAM KUMAR @ UTTAM MANDAL
S/O ANIK MANDAL R/O GOVINDPUR WARD NO.2, P.S.
MAHESHKHUNT, DISTRICT-KHAGARIA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 22-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Maheshkhunt
P.S. Case No. 13 of 2021 registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

133.2 litres of illicit liquor are said to have been
recovered from the tempo and petitioner was caught on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and he has
falsely been implicated in the present case. Learned counsel



further submits that the seizure list does not contain the signature of the petitioner and as such nothing has been recovered from possession of the petitioner. Petitioner has clean antecedent and is in custody since 03.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released 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), Khagaria in connection with Maheshkhunt P.S. Case No. 13 of 2021, subject to the following conditions:-

1. 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 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.

3. 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.

(Rajesh Kumar Verma, J)

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