

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33385 of 2021**

Arising Out of PS. Case No.-83 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Rajesh Kumar Mahto S/o Late Bhagirath Mahato Resident of Village-
Bakhatpur Ward No.-1, P.S.- Beerpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. M.K. Khare

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

2 02-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Excise Case No. 83 C-2 of
2021, registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act.

138 liters & 60 ml. of illicit foreign liquor has been
recovered from the *verandah* of the house of the petitioner.

It is submitted on behalf of petitioner that nothing has
been recovered from the conscious possession of the petitioner.
Petitioner has got clean antecedent and he is in custody since
10.03.2021. Investigation is complete.

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



Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Addl. Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Excise Case No. 83 C-2 of 2021, 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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