

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34135 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- DEODHA District- Madhubani

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Ram Kumar Mahto S/O Raj Kumar Mahto @ Fakir Mahto R/o village-
Malmal, P.S.- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Deodha P.S.Case No. 18 of 2021 for the
offences punishable under Section 272, 273, 414/34 of the
Indian Penal Code and 30(a) of the Bihar Prohibition & Excise
Act.

As per prosecution case itself, On gasti of police
personnel at Railway Gumti some persons were caught with
270 liters illicit Nepali liquor and Motorcycle.

Learned counsel for the petitioner submits that



petitioner has clean antecedent. Nothing incriminating articles or illicit liquor has been recovered from conscious possession of the petitioner. Motorcycle was also not belong to the petitioner. Petitioner is in jail custody since 24.02.2021.

The learned A.P.P opposed the prayer for 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act Madhubani in connection with Deodha P.S. Case No. 18 of 2020, subject to the 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper 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 petitioners have concealed their 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-mentions order shall not be delayed for purpose of or in the name of verification.

N.K/-

(Rajesh Kumar Verma, J)

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