

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37367 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- TARAIYA District- Saran

SATYENDRA MAHTO @ SATENDRA MAHTO Son of Late Jhigan Mahto
Resident of Village - Chapia, P.S. - Taraiya, District - Saran at Chhapra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court.

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 Taraiya P.S. Case No. 171 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

There is recovery of 920 litres of illicit country made liquor from the newly house of the petitioner.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that as per allegation 920 litres of country



made liquor was recovered from the newly house of the petitioner. He further submits that nothing was recovered from conscious possession of the petitioner. He further submits that place of recovery is joint house of the petitioner. He further submits that petitioner is an active member of a particular political party and due to that the arch rival group has implicated the petitioner in the present case. Petitioner is in custody since 01.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Taraiya P.S. Case No. 171 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)

shahzad/-

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

