

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40030 of 2021

Arising Out of PS. Case No.-552 Year-2020 Thana- SITAMARHI District- Sitamarhi

Lal Babu Mahto Son of Sogarath Mahto Resident of Village - Bhasar Tole
Ruapatti, P.S.- Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sitamarhi P.S. Case No. 552 of 2020, registered for the offence under Section 272 / 273 of the Indian Penal Code Section 30(a) / 36 of Bihar Prohibition and Excise Act.

84 liters & 180 ml. of Nepali Saufi Wine has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Recovery has been made from the house, which is in joint possession of the family. Petitioner has got clean antecedent and he is in custody since 23.03.2021. Investigation is complete.

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

Considering the nature of allegation, clean antecedent



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 Additional
District & Sessions Judge II cum Special Judge (Excise Act),
Sitamarhi in connection with Sitamarhi P.S. Case No. 552 of
2020, 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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