

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35892 of 2020

Arising Out of PS. Case No.-519 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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MANOJ KUMAR MAHTO @ MANOJ MAHTO S/o Tapeswar Mahto
Resident of Village-Pakadi Kaudiya, Ward No.9, P.S.-Kalyanpur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13
	:	Mr.Rohit Kumar
For the Opposite Party/s :		Mr.Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Excise Case No. 519 of 2019 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The petitioner is in custody since 08.12.2019. There
is allegation of recovery of 87.840 liters of country made liquor
from a cattle-shed belonging to the petitioner. He had earlier
approached this Court for grant of regular bail, which was
rejected by an order dated 28.02.2020 passed in Cr. Misc. No.
10256 of 2020 with an observation that the petitioner shall be at



liberty to renew his prayer for bail after six months, if there was no substantial progress at the trial.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has no criminal antecedent.

Considering the observation made in the order dated 28.02.2020 and the fact that the petitioner has remained in custody since 08.12.2019, this application is allowed.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Samastipur in Excise Case No. 519 of 2019.

It is subject to condition that if the petitioner is found indulging in such activities in future, the prosecution shall be at liberty to apply for cancellation of his bail, granted by virtue of the present order.

(Chakradhari Sharan Singh, J)

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