

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39680 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Pramod Mahto @ Pramod Kumar Singh, S/o Ramprit Singh @ Rampri
Mahto, R/o village - Taraspur, P.O. and P.S. - Dalsingsarai, District –
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Abhay Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-06-2021 Heard Mr. Ashok Kumar Pathak, the learned

Advocate for the petitioner and Mr. Abhay Kumar No. 1, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Dalsingsarai P.S. Case No. 235 of
2020, dated 27.08.2020, instituted for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On information to the police that a consignment of



liquor is being transported, a pick-up van and two motorcycles were intercepted. Two of the accused persons could manage to escape but two others, namely, Dipak Singh @ Viro Singh and Bipul Sharma were arrested. Aforesaid Bipul Sharma is said to have named the petitioner in his confessional statement. Altogether, 9 litres of liquor is said to have been recovered in the raid.

The learned counsel for the petitioner has submitted that except for the confession of an arrested accused person, there is no other material to connect him with the offence. It has further been submitted that the petitioner is sought to be prosecuted in this case only because he is the owner of one of the motorcycles which was parked outside the poultry farm of the petitioner.

The petitioner has clean antecedents.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-Cum-Special Judge (Excise Act), Samastipur in connection with Dalsingsarai P.S. Case No. 235 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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