

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1838 of 2021

Arising Out of PS. Case No.-209 Year-2019 Thana- RIGA District- Sitamarhi

MAHESH @ MAHESH SINGH @ MAHESIA S/O Ram Ekval Singh
Resident of Village - Ranjitpur Koari, P.S. - Punaura, 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.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Riga P.S. Case No. 209 of
2019, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

On secret information raid was conducted and total
2088 litres of Nepali liquor has been recovered from a pick-up
van and driver and other accused persons fled away after seeing
the police party.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Name of this petitioner
has surfaced in this case on the basis of confessional statement
of co-accused. Moreover, co-accused Devendra Sah @
Devendra Kumar who was apprehended on the spot has already
been granted bail by a coordinate Bench of this court vide order



dated 27.11.2019 passed in Cr. Misc. No. 75744 of 2019. Petitioner is in custody since 24.06.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 District and Sessions Judge II-cum-Special Judge Excise Act, Sitamarhi in connection with Riga P.S. Case No. 209 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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