

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2992 of 2021**

Arising Out of PS. Case No.-308 Year-2019 Thana- BAKHARI District- Begusarai

Bhushan Mahto, S/o Yogendra Mahto @ Chano Mahto, R/o village- Sugga,
P.S.- Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar- Advocate

For the Opposite Party/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-03-2021 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State.

The petitioner seeks regular bail in connection with Bakhri P. S. Case No.308 of 2019 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total 351 litres of foreign liquor is said to have been recovered. This petitioner is alleged to have fled away from the place of occurrence on seeing the police. It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Petitioner has been apprehended on the spot. Only on suspicion, petitioner has been



implicated in this case. Petitioner has got no criminal antecedent and he is in custody since 11.10.2020. Charge-sheet against petitioner has already been submitted. It is further submitted that co-accused Sanjit Kumar Mahto @ Sanjit Mahto has already been granted bail by a Bench of this Court vide order dated 26.11.2019 passed in Cr. Misc. No.75245 of 2019.

Considering the facts and circumstances of the case, nothing incriminating has been recovered from the possession of the petitioner coupled with the fact that petitioner has got no criminal antecedent, prayer for bail of the petitioner is allowed, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bakhri P. S. Case No.308 of 2019.

(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/ her absence on two consecutive dates without sufficient reason, his/ her 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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