

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6488 of 2021

Arising Out of PS. Case No.-339 Year-2020 Thana- BISFI (PATAUNA) District- Madhubani

SUNIL KUMAR MAHTO @ SUNIL MAHTO aged about 23 years Son of
Raj Kumar Mahto Resident of Village - Jagwan Madhopur, P.S. - Bisfi,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhash Ranjan Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 30a of the Bihar Prohibition
and Excise Act.

As per the prosecution case, 36 liters of wine has been
recovered from the dikky of the Scorpio vehicle which was
being driven by this petitioner.

Learned counsel appearing for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery because he was not aware of the nature of consignment being carried by the vehicle. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 29.9.2020.

Considering the quantity of alleged recovery coupled with the fact that the petitioner has got clean antecedent, 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 Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in Bisfi Patauna Police Station Case No. 339 of 2020 on the following conditions:-

(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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