

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5656 of 2021

Arising Out of PS. Case No.-311 Year-2019 Thana- SAMASTIPUR District- Samastipur

KUNDAN MAHTO @ KUNDAN PRASAD S/o Pramod Mahto @ Pramod
Prasad Resident of Vill.- Khanpur North, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-04-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act, 2016.

Allegation is recovery of 2865.96 litres kept in
different cartoons from the truck in which, three persons were
sitting and co-accused Lakhindra Paswan disclose the name of
petitioner in his confession as his accomplice.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case. Similarly placed co-accused, Lakhindra Paswan, on whose
confession, name of the petitioner has surfaced in this case, has
already been granted bail by a co-ordinate Bench of this Court,
as contained in Annexure 2. Petitioner is in custody since



31.10.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Samastipur (Town) P.S. Case No.311/2019, CIS. No.1448/2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

