

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15454 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- KHIRHAR District- Madhubani

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GHURAN MAHTO s/o-Ram Sewak Mahto, r/v-Pipraun, PS- Harlakhi, Distt-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Khirhar P.S. Case No. 21
of 2020, registered for the offence punishable punishable under
Sections 272, 273 of the Indian Penal Code and section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

45 litres of Nepali country made liquor has been
recovered from the motorcycle of petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner has no
concern with the seized liquor. Petitioner is in custody since



28.11.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the period of custody and the fact that petitioner bears clean antecedent, 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 IInd-cum- Special Judge Excise Act, Madhubani in connection with Khirhar P.S. Case No. 21 of 2020, 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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