

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7884 of 2022

Arising Out of PS. Case No.-284 Year-2021 Thana- LALGANJ District- Vaishali

=====

Raj Kumar Mahto S/O Chandeshwar Mahto Resident Of Village- Dilwarpur,
P.S.- Lalganj, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code read with Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise Amendment Act, 2018.

Recovery is of 5727.24 litres of illicit foreign liquor.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that nothing has been recovered from the



conscious possession of the petitioner rather recovery has been made from the truck in question and in fact the petitioner is neither the owner nor the driver of the said truck in question. Similarly situated co-accused person namely Gunesha Ram @ Ganesha Ram has been granted bail vide order dated 11.05.2022 in Cr. Misc No. 602 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Lalganj P.S. Case No. 284 of 2021, with 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

