

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7559 of 2022

Arising Out of PS. Case No.-739 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Ram Sebak Mahto @ Ram Sevak Mahto Son Of Late Sundar Mahto @ Late
Sudar Mahto Resident Of Village-Jinatpur, Ward No. 05, Panchayat Rajoura,
P.S- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2022 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Recovery is of 120 liters of intoxicated toddy.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing has been recovered from conscious



possession of the petitioner rather the recovery has been made from the house of co-accused, namely, Upendra Choudhary. He further submits that on the basis of confessional statement of co-accused, the name of the petitioner has been transpired in the present case and co-accused, namely, Upendra Choudhary has been granted bail by this Court vide order dated 22.06.2022 in Cr. Misc. No. 7516 of 2022 and the petitioner is in custody since 02.12.2021.

Learned A.P.P. 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/- (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 Town P.S. Case No.739 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/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.

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 antecedent, 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)

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