

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14934 of 2022

Arising Out of PS. Case No.-80 Year-2021 Thana- MADANPUR District- Aurangabad

BASANT MAHTO Son of Kedar Mahto Resident of Village- Mahuraon, P.S.-
Madanpur, Dist- Aurangabad (Bihar),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Madanpur P.S. Case No. 80 of 2021 registered for the alleged offences under Sections 30(a) of Bihar Prohibition and amended Excise Act, 2018.

The prosecution story is that police received secret information about petitioner and other co-accused persons bringing a large quantity of illicit liquor and when the said place was raided, the petitioner and other co-accused persons fled away from there leaving behind motorcycle and one of the co-



accused was apprehended after chase. Total 210 liters of spirit was recovered on search of the motorcycle seized.

Learned counsel for the petitioner submits that the petitioner was neither arrested from the spot nor anything incriminating was recovered from his possession. Charge sheet has been submitted in this case and the petitioner is languishing in custody since 22.01.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the fact that the petitioner has not been apprehended from the spot and further considering the fact that charge sheet has been submitted and the petitioner is in custody since 22.01.2022, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 1st, Aurangabad in connection with Madanpur P.S. Case No. 80 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the



court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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