

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19823 of 2022

Arising Out of PS. Case No.-332 Year-2021 Thana- BAKHARI District- Begusarai

ANIL KUMAR @ ANIL MAHTO S/o Umesh Mahto, Resident of Village-
Peernagar, P.S.- Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-07-2022

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 120 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 2964.96 litres illicit liquor from a truck and name of the petitioner came in picture as a user of SIM No.6206265970 which reveals his involvement in the said occurrence.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner was neither apprehended on the spot nor anything was recovered from his conscious possession. It is further submitted that one co-

accused, Manoj Mahato, who was driving the truck, has already been granted bail by a co-ordinate Bench of this Court vide order dated 22.06.2022 passed in Cr. Misc. No.2001 of 2022. Petitioner is in custody since 05.02.2022.

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 Bakhari P.S. Case No.332 of 2021, 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.

Sanjay/-

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(S. Kumar, J)