

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23093 of 2022

Arising Out of PS. Case No.-319 Year-2021 Thana- Bakhari District- Begusarai

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Raja Ram Mahto @ Raja Ram Kumar S/o Hari Narayan Mahto @ Hari Naraian Mahto, Resident of Village- Darha Than Singh, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Bakhri P.S. Case No. 319 of 2021 lodged under Sections 30(a)
and 30(c) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the total recovery of
mahua liquor is 30 liter in the F.I.R.

Learned counsel for the petitioner submits that
nothing was recovered from the conscious possession of the
petitioner. The petitioner was made accused in this case due to
the reason that alleged recovery was made from his open field.

He further submits that petitioner is in custody since 16.02.2022 and charge sheet has already been filed in this case. He further submits on the point of his criminal antecedent that in this case he has been made accused earlier and during custody period, police has given his name in another case also, due to which criminal antecedent has been developed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-2, Begusarai in connection with Bakhri P.S. Case No. 319 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall

file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

ravishankar/-

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