

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24570 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Shatrudhan Mahto S/O Late Sharawan Mahto Resident Of Village- Pakri
Ismail, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Excise case no. 75 of 2022 for the offences punishable
under Sections 30(a), 32(3) of the Bihar Prohibition & Excise
Act 2018.

As per the prosecution case, it is alleged that on secret
information that petitioner has kept huge consignment of liquor
and has stored the same in his house, the police raided the house
of the petitioner and total 111.750 liters of Indian made foreign



liquor has been recovered.

It is submitted by the learned counsel for the petitioner that recovery has been made from the joint family house of the petitioner. It is next submitted that there are other infirmities in the preparation of seizure list in as much as there is complete violation of provision of section 100 of the Cr.P.C. It is next submitted that this petitioner is in custody since 24.01.2022, having fair antecedent.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that the alleged recovery has been made from a joint family house and moreover, petitioner having fair antecedent, is in custody since 24.01.2022, though investigation has already been concluded and the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court-II, Muzaffarpur in connection with Excise Case no. 75 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as



follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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