

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26136 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- JALALPUR District- Saran

Ranjit Mahto S/O Dharam Mahto @ Dharam Deo Mahto Resident Of Village-
Inamipur, P.S.- Jalalpur, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Advocate
For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2022 Heard Mr. Akhileshwar Pandey, learned counsel
appearing on behalf of the petitioner and Mrs. Rita Verma
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioners seek bail in a case registered in connection
with Jalalpur P.S. Case No. 37 of 2022 for the offences
punishable under Section 30(a) of the Bihar Prohibition &
Excise Act 2016.

As per the prosecution case ,it is alleged that in course
of vehicle checking, police intercepted the petitioner riding on a
motorcycle and on search being made total 100 liters of illicit
liquor was recovered.

Learned counsel appearing on behalf of the petitioner
submits that only because of the past criminal antecedent the
name of petitioner surfaced in this case. It is further submitted



that even as per the allegation, the prosecution case appears to be absurd because it is not possible to carry 100 liters liquor on a motorcycle and in fact, nothing has been recovered from the person or possession of the petitioner. It is next submitted that this petitioner is in custody since 12.03.2022 and the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned counsel for the state vehemently oppose the bail application and submits that petitioner has multiple criminal antecedent.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 12.03.2022 and the investigation of the crime is already completed and the charge-sheet has been submitted and there is no likelihood of the commencement of the trial in near future, 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 the learned Exclusive Special Excise Court, Saran at Chapra in connection with Jalalpur P.S. Case No. 37 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.

(v) 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 cancelling 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.

(Harish Kumar, J)

N.K/-

U		T	
---	--	---	--

