

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26235 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- KATRA District- Muzaffarpur

Vishwanath Mahto Son Of Late Ganga Mahto R/O Village- Singhwari, P.S.-
Katra, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Katra P.S. Case No. 87/2022 under Sections 272, 273, 414 of the
Indian Penal Code and Section 30 (a) of Bihar Excise
Prohibition Act.

The prosecution story, in brief, is that on the basis
of written report against the petitioner herein wherein it is
alleged that petitioner was apprehended on motorcycle along
with 60 liters of spurious fermented 'toddy'. Accordingly, the
seizure list was prepared.

Learned counsel for the petitioner submits that the



recovery/seizure alleged to have been made by the police is 60 liters of 'toddy'. He submits that for the said alleged act despite he being having no criminal antecedent, is in custody since 13.3.2022 has already suffered a lot. He as such submits that he is ready to face trial and for the present he deserves bail.

Taking into account the aforesaid submission made by the petitioner coupled with the fact that he has no criminal antecedent, charge-sheet stands submitted and he is in custody since 13.3.2022, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Muzaffarpur, in connection with Katra P.S. Case No. 87/2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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