

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28296 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- LAUKAHA District- Madhubani

Uttim Lal Mahto @ Uttam Lal Mahto, S/o Basi Lal Mahto, Resident of
Village- Chainpur, Police Station- Laukha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Ashok Kumar Prasad, learned counsel
appearing on behalf of the petitioner and the learned APP for the
State.

The petitioner seeks regular bail, who is in custody in
connection with Laukaha P.S. Case No. 64 of 2022 (G.R. No.
163 of 2022) for the offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30 (a) of Bihar
Prohibition and Excise Act, 2018.

As per the prosecution case, it is alleged that the police
on a secret information apprehended the petitioner, who was
riding on a bicycle. On search being made 27 litres of Nepali



Saufi wine was recovered.

It is submitted by the learned counsel for the petitioner that in fact nothing was recovered from the person or possession of this petitioner and only because of fact that some altercation took place between the petitioner and the police personnel, his name has been implicated in this case and he is in custody since 17.03.2022 having a man of fair antecedent, though the investigation of the crime is completed and charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that recovery has been made from the possession of this petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 17.03.2022 having fair antecedent and the investigation of the crime is completed and charge-sheet has been submitted and there is no likelihood of commencement of trial in the near future, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case



No. 64 of 2022 (G.R. No. 163 of 2022) subject to the condition that one of the bailors will be the close relative 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)

uday/-

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

