

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28707 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- MADHWAPUR District- Madhubani

Sanjeev Mahto Son Of Bihari Mahto Resident Of Village And P.O.-
Phulgama, P.S.- Phulgama, District- Dhanusha (NEPAL)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2022 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.

Petitioner seeks bail in a case registered in connection with Madhwapur P.S.Case No 39 of 2022 for the offences punishable under Sections 272, 273, 414 of the Indian Penal Code and section 30(a) of the Bihar Excise (Prohibition) Amendment Act, 2018.

As per the prosecution case, it is alleged that while the police was on patrolling duty, they intercepted the petitioner coming on a motorcycle and on search total 41.700 liters country made foreign liquor was recovered.



Learned counsel for the petitioner submits that nothing has been recovered from person or possession of the petitioner. It is next submitted that seized motorcycle belongs to the petitioner but he has no concern with the illicit liquor. It is next submitted that the petitioner is in custody since 19.03.2022 and moreover, after completion of investigation charge sheet has been submitted.

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 petitioner having fair antecedent and is in custody since 10.03.2022 , though investigation of the crime is concluded and 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 Additional Sessions Judge II cum Special Judge, Excise , Madhubani in connection with Madhwapur P.S.Case No. 39 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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