

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40360 of 2021

Arising Out of PS. Case No.-220 Year-2019 Thana- BIBHUTIPUR District- Samastipur

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Dharmendra Mahto Son of Chandradeo Mahto Resident of Village - Pirnagar,
Gamahria, P.S.- Naokothi, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-01-2022 Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

Petitioner who is in custody since 1.4.2021 seeks
regular bail in connection with Vibhutipur P.S. Case No. 220 of
2019 registered for the offence punishable under sections 272
and 273 of the Indian Penal Code and Section 30(c) of Bihar
Prohibition and Excise Act, 2016.

Prosecution case in brief is that altogether 846.27 of
illicit liquors was recovered from the pick up van bearing
registration no. BR-09M-6095.

Learned counsel for the petitioner submits that the
petitioner has one antecedent and in this regard the petitioner



has filed supplementary affidavit, stating that no case relating to Bakhari Begusarai P.S. Case No. 323 of 2014 for the offence punishable under section 414 of the Indian Penal Code is pending against the petitioner. He further submits that in the present case the name of the petitioner has surfaced on the confessional statement of driver of the vehicle bearing no. BR-09M-6095 and the co-accused Sanjeev Kumar has been released on bail.

Considering the above mentioned facts and circumstances of the case, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 20,0000/- (Two lakh) with two sureties of the like amount each to the satisfaction of learned District Judge-Iind-cum-Special Judge, Excise, Samastipur, in connection with Vibhutipur P.S. Case No. 220 of 2019 subject to the following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioners are found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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