

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46982 of 2021

Arising Out of PS. Case No.-80 Year-2021 Thana- SONBERSA District- Sitamarhi

PRAMOD KUMAR S/O RAM EKWAL MAHTO @ RAM EKBAL MAHTO
R/o village- Madhiya @ Marhia, P.S.- Sonbarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 Heard the parties through video conferencing.

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

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 18.05.2021,
seeks regular bail in connection with Sonbarsa P.S. Case No. 80
of 2021 for the offence punishable under Section 414 of the
Indian Penal Code, Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 and Section 25(1-b)a, 26 of the Arms Act.

The prosecution case, in brief, is that in course of
patrolling duty, the informant and other Police personnel
received secret information regarding keeping of liquor by the
petitioner in his house, the Police personnel raided the house of



petitioner, but, on seeing the Police party, petitioner managed to escape from there. On search, altogether 12.270 litres illicit liquor along with one loaded pistol and two live cartridges were recovered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case due to dirty village politics without any evidence. He further submits that when the house of petitioner was raided, the petitioner was not present in his house and there is every likelihood that the seizure-list was prepared at the Police Station in absence of any independent witness to support the alleged raid conducted on 25.03.2021. The petitioner has clean antecedent and he is in custody since 18.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 80 of 2021, subject to the following conditions:-



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

(2) Petitioner shall co-operate 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 petitioner is 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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