

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50795 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- HASANPUR District- Samastipur

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RAM BABU MAHTO @ RAM BABU Son of Jay Krishna Mahto Resident
of Goha, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Hasanpur

P.S. Case No.104 of 2021 registered for the offence under

Section 30(a) of Bihar Prohibition and Excise Act, 2016.

157.680 litres of foreign liquor was recovered near the

Goshala of the petitioner.

Learned counsel appearing for the petitioner submits

that the petitioner has falsely been implicated in the present

case. He further submits that nothing has been recovered from

the conscious possession of the petitioner. He further submits



that the alleged 157.680 of foreign liquor was recovered near the Gosala and that Gosala is not belonging to the petitioner. Petitioner is in custody since 11.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd -cum-Special Judge, Excise Act, Samastipur in connection with Hasanpur P.S. Case No.104 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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