

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42700 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

Sunil Mahato @ Sunil Kumar Mahato Son of Shibu Mahato @ Shiv Shankar Mahato, Resident of Village Jirat, P.S.- Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned APP for the state.

Petitioner seeks regular bail in connection with Ghanshyampur P.S. Case No.08 of 2020 alleged under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution, total 199.4 litres of foreign liquor have alleged to be recovered from the Mahindra Maximo vehicle.

Learned counsel for the petitioner submits that petitioner was not apprehended in the present case and as such there is no recovery from his possession. Learned counsel for the petitioner further submits that his name has figured in this

case by virtue of the Chowkidar. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case, petitioner is in custody since 03.06.2022 and there is one case pending against the petitioner in which he is pursuing bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Darbhanga in connection with Ghanshyampur P.S. Case No. 08 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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