

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42894 of 2022

Arising Out of PS. Case No.-381 Year-2018 Thana- HUSSAINGANJ District- Siwan

1. Ravindra Mahto S/o Mishri Mahto R/o village- Chhata, P.S.- Hussainganj, District- Siwan
2. Shyam Babu Manjhi S/o Dharmnath Manjhi R/o village- Chhata, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Hussainganj P.S. Case No. 381 of 2018 lodged under Sections 30(a), 36 and 41(1) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 180 litres country made liquor alleged to be made from boundary of Dashrath Sah.

Learned counsel for the petitioner submits that petitioner's name has figured in this case by virtue of statement of the villagers with whom he has inimical relation. He further submits that he is in no way related to the excise material.

Learned counsel submits that antecedent of the petitioner is clean. He is in custody since 21.06.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No. 1, Siwan in connection with Hussainganj P.S. Case No. 381 of 2018, 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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