

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55399 of 2021

Arising Out of PS. Case No.-186 Year-2021 Thana- PATNA RAIL P.S. District- Patna

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SANJEET MAHTO Son of Late Mannu Mahto Resident of Village - Pothma,
Ward no.7, P.S.- Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Adv

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-01-2022 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 in virtual Court proceeding.

The petitioner seeks bail in connection with Patna Junction P.S.Case No.186 of 2021 (Special Case No.4021 of 2021) registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that on secret information, search was made in a train in which six persons were carrying total 250.140 liters of wine.

Learned counsel appearing for 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 rather the recovery has been made from the alleged bag of the petitioner. He further submits that co-accused, namely, Rudal Kumar @ Kumar Rudal Raj has been granted bail vide order dated 20.12.2021 in Cr. Misc. No.49669 of 2021 and another co-accused, namely, Vijay Kumar has been granted bail vide order dated 22.01.2022 in Cr. Misc. No.55047 of 2021 and the petitioner is in custody since 04.07.2021.

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

Considering the aforesaid facts and period of custody, 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 District and Sessions Judge-cum-Special Judge, Excise, Patna in connection with Patna Junction P.S.Case No.186 of 2021 (Special Case No.4021 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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