

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57110 of 2021

Arising Out of PS. Case No.-262 Year-2017 Thana- RIVILGANJ District- Saran

SHYAM BABU MAHTO @ SHYAM MAHTO Son of Sudarshan Mahto @
Darshan Mahto Resident of Village/Mohalla- Nawajitola, P.S.- Revilganj,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-03-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code 1860 and Section 30(a) of the Bihar
Prohibition & Excise (Amendment) Act, 2018.

Petitioner has been made accused in this case on
the basis of confessional statement of co-accused persons.
Allegation against him is that he is also involved in
manufacturing and selling of illicit liquor alongwith the other
accused persons.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case

only on the basis of confessional statement of apprehended accused persons, namely, Munna Rai @ Muna Ray and Bittu Rai @ Biltu Rai who have already been granted bail by this Court vide order dated 15.12.2017 passed in Cr. Misc. No. 1094 of 2018 and vide order 10.01.2018 passed in Cr. Misc. No. 4125 of 2018. Neither any recovery has been made from the possession of the petitioner nor he was apprehended on the spot. The motorcycle involved in the alleged crime also does not belong to the petitioner. Petitioner has been remanded in this case on 23.08.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd cum Special Judge, Excise, Saran at Chapra, in connection with Revilganj P.S. Case No. 262 of 2017, subject to conditions that:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at

liberty to cancel the bail bond of the petitioner.

(3) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/veena-

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