

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61211 of 2021**

Arising Out of PS. Case No.-280 Year-2019 Thana- CHANPATIA District- West Champaran

PRAMOD MAHTO Son of Satya Narayan Mahto Resident of Village -
Garabhuwa Lala Tola, P.S. - Chanpatia (Sirisiya O.P.), District - West
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-01-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Chanpatia (Sirisiya O.P.) P.S. Case No. 280 of 2019 instituted for the
offences under Sections 272, 273, 414 of the Indian Penal Code read
with Sections 30(a), 30(b), 30(c) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 15.07.2021 and charge-sheet has been
submitted.

Allegation is of recovery of 150 litre of country made
liquor out of which 10 litre is alleged to have been recovered from a
stolen motorcycle kept in the house of the petitioner.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case and he lived in a joint family property and, as such, was not aware who had kept the motorcycle and the liquor in his house.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 280 of 2019, with condition that one of the bailors shall be the father (Satya Narayan Mahto) of the petitioner.

However, the learned court below will forthwith cancel the bail bond of the petitioner in the event the petitioner gets implicated in a case of similar nature as para 3 of the bail application records six criminal antecedent of the petitioner.

(Satyavrat Verma, J)

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