

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51382 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- BASOPATTI District- Madhubani

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Randheer Kumar Mahto @ Randheer Mahto, S/o Lalit Mahto R/V- Basopatti,
P.S.- Basopatti, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Basopatti P.S. Case No. 147 of 2022 registered
for the alleged offences under Sections 272 and 273 of the
Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, the petitioner was
apprehended with 72 liters of *Nepali* country made liquor which
he was bringing on a motorcycle from Nepal to India.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this

case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. Learned counsel further submits that the name of the petitioner has been dragged in this case merely on suspicion. Charge sheet has been submitted in this case and the petitioner is in custody since 11.07.2022. The petitioner has got clean antecedent.

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

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Basopatti P.S. Case No. 147 of 2022 (G.R. No. 1157/2022), subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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