

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 54821 of 2022**

Arising Out of PS. Case No.-209 Year-2022 Thana- KEWATI District- Darbhanga

Pradeep Kumar Mahto @ Baua S/O Mantu Mahto Resident of village-  
Balbhadrapur, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      11-11-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with  
Keoti P.S. Case No. 209 of 2022 lodged under Section 30(a) of  
the Bihar Prohibition and Excise (Amended) Act, 2022.

As per the prosecution case, total recovery of 27 liter  
of wine is subject matter of the present case.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that petitioner is in custody since 13.07.2022 having 2  
criminal cases pending against him and he is on bail in both the  
cases. Charge sheet has already been filed in this case. He

submits that as per the seizure list, the said recovery was made near Hazipur *pul* and it was recovered on a motorcycle. Learned counsel submits that the petitioner was arrested upon chase.

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 Exclusive Special Judge -1 (Excise Act), Darbhanga in connection with Keoti P.S. Case No. 209 of 2022, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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