

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64294 of 2021

Arising Out of PS. Case No.-448 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ramesh Mahto, male, aged about 54 years, Son of Late Rajindar Mahto @
Late Ramchandran Mahto Resident of Village- Bagwara, P. S. Muffasil,
District -Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Adv.
For the State : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in *Muffasil PS Case No. 448 of*
2021, instituted for the offence punishable under Section
120(B) of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

From the 'Baswari', near the petitioner's house, there is
alleged recovery of 283.78 liters illicit liquor. The petitioner has
been arrested along with the illicit liquor and he is in custody



since 01-09-2021.

It is stated by the petitioner's counsel that in view of the proximity of the place of recovery from his house, he has become victim of the circumstances, having no criminal antecedents. The investigation is complete.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the fact that there is no recovery from the petitioner's possession nor the petitioner was present at the place of recovery as also the fact that the petitioner has clean past and investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned *Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai*, in connection with *Muffasil P.S. Case No. 448 of 2021*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how



he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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