

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57639 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- PANDAUL District- Madhubani

Bikki Mahto, Son of Laddu Mahto, Resident of village - Rajak Babu Tola,
Pandaual, P.S.- Pandaual, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Pandaual P.S. Case No. 180 of 2022 registered for the alleged offences under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per prosecution case, the police came to know that the petitioner has kept India made foreign liquor adjacent to the pond in front of his house. A raid was conducted and the petitioner was apprehended and recovery of 60.78 liters of India made foreign liquor was made from the spot.

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



case. He has nothing to do with the allegedly recovered article which according to the FIR has been seized from an open place. Nothing incriminating has been recovered from the conscious possession or premises of this petitioner. The petitioner is in custody since 24.08.2022. The charge sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to facts and circumstances and submissions made here-in-above and considering the period of custody of the petitioner and the submission of charge sheet, he 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Pandaul P.S. Case No. 180 of 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)

V.K.Pandey/-

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