

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72539 of 2021

Arising Out of PS. Case No.-525 Year-2021 Thana- SURSAND District- Sitamarhi

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1. VIKRAM MAHTO SON OF RAMHIT MAHTO R/O VILLAGE- JAWAHI,
P.S.- SURSAND, DISTRICT- SITAMARHI
 2. GULAB DEVI WIFE OF VIKRAM MAHTO R/O VILLAGE- JAWAHI,
P.S.- SURSAND, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-05-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioners and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioners for the offences alleged under Section 414 of

the Indian Penal Code and Section 30(a) of the Bihar

Prohibition and Excise (Amendment) Act, 2018, registered in

connection with Sursand P.S.Case No. 525 of 2021.

As per allegation, two motor-cycles were intercepted

by the police party. Co-accused Deepesh Kumar Mahto, Putesh



Mahto and Sujeet Mahto, who were on those motor-cycles, were arrested and 18 litres of liquor was recovered from each of the motor-cycles. They apprised the police party that they used to smuggle illicit liquor from Nepal and deliver to petitioner no.1 and co-accused Pushpa Devi. At the instance of the petitioners, the police party went to village Jawahi near the house of petitioner no.1. They saw two persons, who started fleeing away seeing the police party. Petitioner no.1 and petitioner no.2 were intercepted by the police and 27 litres of liquor was recovered from their house.

The learned counsel for the petitioners has submitted that both the petitioners are persons of clean antecedents and they are in custody since 08.11.2021.

Considering the above facts and circumstances and period of detention as well as the clean antecedents of the petitioners, let them be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sursand P.S.Case No. 525 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves



available as and when required by the court.

2. At the time of furnishing bail bonds, the petitioners shall file affidavit(s) to the effect that they shall not indulge themselves in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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