

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6248 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- JURAWANPUR District- Vaishali

PIRAT KUMAR @ RAMPRIT MAHTO @ JHUMAN MAHTO Son of
Supan Mahto Resident of Village- Beerpur, P.S.- Jurawanpur, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar,Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
09.12.2022 in connection with Jurawanpur P.S. Case No.
138 of 2022, F.I.R. dated 28.08.2022 registered for the
offence punishable under Sections 272, 273, 302, 328,
201,120(B) of IPC and Section 37(b) of Bihar Prohibition
and Excise Amendment Act, 2018.

The prosecution case as emerges from the FIR is
that on account of consumption of spurious liquor, some
persons have died and it is claimed that accused-persons
have sold the spurious liquor.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. Further submits that nothing has been recovered from possession of the petitioner. Further submits that the similarly situated co-accused persons, namely, Mahamani Devi @ Mahamuni Devi@ Jhamani Devi, Guriya Devi, Chandrakala Devi@ Chandrakaliya Devi, Pawan Mahato have been granted bail vide order dated 17.01.2023 passed in Cr. Misc. Nos.58922 of 2022 and 1303 of 2023, co-accused persons, namely, Jaggu Ram @ Jagu Kumar Ram, Sanjit Mahato @ Sanjeet Mahato and Subodh Ram @ Subodh Roy have been granted bail vide order dated 18.01.2023 passed in Cr. Misc. Nos.64883 of 2022, 64921 of 2022 and 73622 of 2022 respectively by a Coordinate Bench of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 09.12.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, nothing has been



recovered from possession of the petitioner, having clean antecedent, 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 learned Exclusive Special Judge (Excise)-cum-2nd Additional District and Sessions Judge, Hajipur, Vaishali in connection with Jurawanpur P.S. Case No. 138 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall



take step for cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms of the
above-mentioned order shall not be delayed for purpose of
or in the name of verification.

(Rajesh Kumar Verma, J)

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