

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13098 of 2023

Arising Out of PS. Case No.-132 Year-2019 Thana- DERNI BAZAR District- Saran

MITHILESH MAHTO S/O JAGLAL MAHTO R/v- Magaedih, P.S.- Chapra
Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.
For the Opposite Party/s : Ms.Sharda Kumari, APP

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

ORAL ORDER

4 16-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Derni P.S. Case No. 132 of 2019, registered for the offences punishable under Sections 30, 30(a) of Bihar Prohibition and Excise Act, 2016.

As per allegation, 2043.360 liters of liquor was recovered from a truck. Two persons began to flee away by a motorcycle but they were apprehended and they disclosed there name as Ravikant Singh and Pujan Mahto.

The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated. He was not arrested at the spot. Co-accuseed Ravikant Singh and Pujan



Mahto who were arrested at the spot have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 67208 of 2019. The petitioner has been made accused merely because the motorcycle which was driven by Ravikant Singh and Pujan Mahto belongs to the petitioner. He is under custody since 21.08.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-1st Exclusive Special Excise Court, Saran at Chapra in connection with Derni P.S. Case No. 132 of 2019, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial till framing of the charge. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(ii) If the petitioner is found involved in future in the similar type of offence, 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.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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