

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28767 of 2023

Arising Out of PS. Case No.-575 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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LALIT KUMAR MAHTO S/O Ram Kumar Mahto R/O Lankemanoto, P.S.-
Lanke, District- Ranchi, Jharkhand

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Gaya
Excise P.S. Case No. 575 of 2023 registered for the offences
punishable under Section 30(a) and 56(b) of the Bihar
Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 159 litre foreign liquor from ambulance in question and
petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody 27.03.2023 and bears no criminal
antecedent. He further submits that petitioner is quiet



innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Excl. Excise Judge No- 03, Gaya in connection with Gaya Excise P.S. Case No. 575 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground



for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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