

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51244 of 2023

Arising Out of PS. Case No.-57 Year-2021 Thana- SAHARGHAT District- Madhubani

Ravindra Mahto Son Of Kedar Mahto Resident Of Village- Pipraun, Ps-
Harlakhi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Saharghat P.S. Case No. 57 of 2021 for the offence punishable under Sections 272, 273, 343 of I.P.C. lodged on 5.6.2021 by the informant, Surendra Paswan.

As per the prosecution story, the police intercepted a Tata Magic Vehicle and recovered/seized 595 liters of illicit liquor. Accordingly, the FIR.

Learned counsel for the petitioner submits that he was not named in the FIR rather during investigation, his name has been dragged in for which he already suffered by being in custody since 2.7.2023 (para-17 of the petition).

The last submission is that one of the co-accused Arjun Yadav has since been granted bail by a coordinate bench



of this Court in Cr. Misc. No. 65169 of 2021.

Let the same be kept on record.

Learned APP opposes the prayer stating that his name has come in the investigation.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that the similar placed co-accused has been released on bail as stated above, and lastly he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-2 cum Special Judge Excise Act, Madhubani, in connection with Saharghat P.S. Case No. 57 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

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