

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63242 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- LAKHNAUR District- Madhubani

Pintu Kumar @ Pintoo Kumar Mahto, son of Ganesh Mahto, resident of
Village- Rupauli, P.S.-Lakhnaur, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Namrata Mishra, Advocate

Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Lakhnaur
P.S. Case No.201 of 2021 corresponding to G.R. No.1979 of
2021 registered for the offence punishable under Sections 272,
273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition
and Excise Act.

There is alleged recovery of 1199.400 litres of
country made liquor from the place of occurrence. It is alleged
that the petitioner was engaged in illegal trade and manufacture
of illicit liquor.



Counsel for the petitioner submits that recovery of illicit liquor was made from fodder-house (*Bhusaghar*) belonging to one Dinesh Mahto. The name of the petitioner has surfaced on secret information. Recovery is not from his conscious possession. Investigation is complete and charge-sheet has been submitted in this case. He has two antecedents of similar nature. He is in custody since 06.09.2022. It is submitted that similarly situated co-accused Lalu Mahto @ Shailendra Mahto has been allowed bail in Cr.Misc. No.39496 of 2022.

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

Considering the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, 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 the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Jhanjharpur, in connection with



Lakhnaur P.S. Case No.201 of 2021 corresponding to G.R.
No.1979 of 2021, subject to the following conditions:

(i) That one of the bailors
will be a close relative of the
petitioner who will give an affidavit
giving genealogy as to how he is
related with the petitioner. The bailor
will also undertake to inform the court
if there is any change in the address of
the petitioner.

(ii) That the petitioner will
be well represented on each date and if
he fails to do so on two consecutive
dates, his bail bond will be liable to be
cancelled.

(Madhuresh Prasad, J)

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