

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32034 of 2024

Arising Out of PS. Case No.-756 Year-2023 Thana- MAJHAULIA District- West Champaran

Bholi Mahato @ Bholi Mahto Son of Ramji Mahato @ Ramji Mahto
Resident of Village - Ward no. 12, Baswariya, P.S. - Majhaulia, Distt - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the State : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was withdrawn by the petitioner vide order dated 05.03.2024 in Cr. Misc. No. 80944 of 2023.

3. The petitioner seeks bail in connection with Majhauriya P.S. Case No. 756 of 2023 registered for the offence punishable under Sections 272, 273, 304, 328 and 120(B)/34 of the Indian Penal Code and Sections 34 and 36 of the Bihar Prohibition and Excise Act.

4. The following order was passed on 05.03.2024 in Cr. Misc. No. 80944 of 2023 which reads as under:

*“Heard learned counsel for the
petitioners and learned APP for the State.*



2. Learned counsel for the petitioners, at the outset has prayed for and is permitted to withdraw the application for bail on behalf of petitioner no. 2, namely, Bholi Mahato @ Bholi Mahto.

3. The application for bail of petitioner no. 2 namely, Bholi Mahato @ Bholi Mahto is dismissed as withdrawn.

4. The petitioner nos. 1 and 3 seek bail in connection with Majhauriya P.S. Case No. 756 of 2023 registered for the offence punishable under Sections 272, 273, 304, 328 and 120(B)/34 of the Indian Penal Code and Section 34 and 36 of the Bihar Prohibition and Excise Act.

5. As per the prosecution case, the deceased consumed illicit liquor and because of which he died. The petitioners are suspected to have been dealing in illicit liquor. They are in jail since 11.06.2023.

6. Learned APP appearing for the State opposes the prayer for regular bail of the petitioners.

7. Considering the aforesaid, this application is allowed so far as petitioner no. 1, namely, Ramji Mahato @ Ramji Mahto and petitioner no. 3, namely, Sujit Kumar are concerned.

8. Let the petitioner no. 1, namely, Ramji Mahato @ Ramji Mahto and petitioner no. 3, namely, Sujit Kumar, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 756 of 2023.

9. The petitioner no. 1, namely, Ramji Mahato @ Ramji Mahto and petitioner no. 3, namely, Sujit Kumar will also mark attendance in Majhauriya, Police Station, West Champaran on each and every Sunday of the month. Any default in appearance at the Police Station would be result in cancellation of bail bonds of



the petitioner no. 1 and petitioner no. 3”

5. This Court finds no ground to review its earlier order dated 05.03.2024.

6. Accordingly, this application stands dismissed.

(Sandeep Kumar, J)

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