

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60735 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- MEDNI CHAUKI District- Lakhisarai

Nageshwar Mahto Son of Late Ganga Mahto R/V- Village- BanSHIPUR
Chandra Tola, P.S.- Medni Chowki, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Medni Chowki P.S. Case No. 80 of 2024 for the offence punishable under Sections 30 (a) and 32 of the Bihar Prohibition and Excise Amendment Act lodged on 13.04.2024 by the informant, Shivshankar Mandal.

3. As per the prosecution story, the informant alleged that upon secret information, a motorcycle was intercepted and 5 liters of country made *mahua* was recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that being the owner of the motorcycle, has been implicated which led to his custody since 25.06.2024 (paragraph-11 of the petition).



5. Learned APP opposes the prayer for bail.

6. Taking into account the submission as also the recovery and the petitioner has remained in custody since 25.06.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-V-cum-Special Excise Court No. 2nd, in connection with Medni Chowki P.S. Case No. 80 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) 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;

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

(Rajiv Roy, J)

Adnan/-

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