

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34123 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Deepak Mahto son of Late ShivJee Mahto village- Sadha Ps- Chapra
Muffasil, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-06-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016. Petitioner has seven criminal antecedents.

3. As per the prosecution case, the patrolling party reached at Sadha Chowk and saw five persons there who managed to flee away. The informant had further found four persons near the said place, however, they also managed to flee and the local people and the Chowkidar disclosed the name of the person who had fled away namely, Deepak Mahto (petitioner), Manager Rai, Ajay Mahto and Ravi Rai. On search, the police recovered 100 liters of country-made liquor from the spot.



4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no such recovery as alleged has been made from his conscious possession. It has further been submitted that from perusal of the FIR, admittedly, the recovery is from a desolate place (Chowr) which is an open space and accessible to all. It has lastly been submitted that the petitioner has seven criminal antecedents and he is in custody since 03.04.2025 in the present case. The learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds and thereafter



bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chapra Mufassil P.S. Case No. 96 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Saran within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

