

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25968 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- RIVILGANJ District- Saran

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PINTU MAHTO SON OF SHANKAR MAHTO @ CHHEDI MAHTO R/O
VILLAGE- GODNA (KOIRI TOLA), P.S- REVILGANJ DIST- SARAN AT
CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (a), 37 (b) & (c) of the
Bihar Prohibition and Excise Act, 2016.

12 liters of illicit liquor is said to have been
recovered from the Baithaka of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no
concern either with the seized liquor or the place of recovery or
any trade of liquor. He has been falsely implicated in this case
at the instance of his enemy by planting the aforesaid recovery



from his Baithaka. There is violation of Section 100 Cr.P.C. The Baithaka of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the said Baithaka. Petitioner has two criminal antecedents of similar nature and has been languishing in custody since 23.01.2021.

Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Revilganj P.S. Case No.10 of 2021, subject to the following conditions:

(1) 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. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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