

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40703 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- MITHANPURA District- Muzaffarpur

Anil Mahto, S/o Mangal Mahto, R/o Mohallah Rambagh, Chakbasu, Budha Colony, P.S. Mithanpura, District Muzzafarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-10-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) and 38(ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He submits that 28 liters of beer and foreign liquor is said to have been recovered from the house of the petitioner. The petitioner is in custody since 12.06.2021 and he has got no criminal antecedent as stated in paragraph-3 of the bail petition.

Petitioner is agreed to deposit a sum of Rs.5,000.00



(rupees five thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, 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/successor court where the case is pending in connection with Mithanpura P.S. Case No.114 of 2021, subject to the conditions:

(i) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(iii) 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 Chief Minister Relief Fund Bihar.

(Anjani Kumar Sharan, J)

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