

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8576 of 2021

Arising Out of PS. Case No.-513 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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MAHESH PATEL@MAHESH MAHTO SON OF LATE NAGA MAHTO
RESIDENT OF VILLAGE- SIKENDERPUR NEAR RANI SATI MANDIR
P.S- MUZAFFARPUR TOWN (SIKANDARPUR O.P) DISTT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual Court proceedings.

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 &
273/34 of the Indian Penal Code and Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

25 liters of country made liquor is said to have



been recovered from gallons.

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 possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the Chief Minister's Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.513 of 2020, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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