

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7201 of 2022**

Arising Out of PS. Case No.-69 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Patna

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1. Ganesh Kumar S/O Bangali Mahto Resident Of Chhoti Pahari Jakariyapur,  
P.S.- Agamkua, Distt.- Patna
  2. Aman Kumar @ Amar Kumar S/O Ramji Mahto @ Ramjeevan Mahto  
Resident Of Chhoti Pahari Jakariyapur, P.S.- Agamkua, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 7822 of 2022**

Arising Out of PS. Case No.-69 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Patna

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Baiju Kumar Son Of Sri Surendra Mahto Resident Of Village - Chhoti Pahari,  
P.S.- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 7201 of 2022)

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr. Veena Rani Prasad

(In CRIMINAL MISCELLANEOUS No. 7822 of 2022)

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Bishweshwar Ram

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      08-07-2022                      Heard learned counsel for the petitioners and learned  
APP for the State through virtual court proceeding.

Learned counsel for the petitioners 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 petitioners are apprehending their arrest in a case registered for the offence punishable under Section 30(a), 32(i), 32(iii), 41(i), 41(ii) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 320 liters of country made liquor is said to have recovered at the spot. He submits that the apprehended person disclosed the name of the petitioners. He further submits that petitioners has no criminal antecedent as stated in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs. 25,000.00 (Rupees Twenty Five Thousand) each in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstance of the case, let the above named petitioners, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 (Govt. Official) PR Agamkuan Case No. 69 of 2021 (Special Case No. 5461 of 2021), subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their 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 petitioners shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

devendra/-

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