

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7272 of 2022

Arising Out of PS. Case No.-823 Year-2021 Thana- NAGAR District- Vaishali

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Bhuneshwar Mahto @ Bhuneshwar Kumar, Son of Late Laxman Mahto,
Resident of Village - Ram Bhadra, Police Station - Hajipur Town, District -
Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Hajipur Town P.S. Case No. 823 of 2021, Excise GR. No. 943 of 2021 registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation against the petitioner is that from his half constructed house, 40 litres of country made liquor was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No recovery has been made from the conscious possession of the petitioner. The petitioner was not apprehended from the spot. The petitioner is in custody since 14.10.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the quantity of liquor recovered and also considering the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 823 of 2021, Excise G.R. No. 943 of 2021 subject to the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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