

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19963 of 2021

Arising Out of PS. Case No.-1454 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

=====

Jagarnath Mahto Son of Late Baiju Mahto Resident of Village Athar, P.S.
Viroul and District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Singh
For the Opposite Party/s : Mr. Lalan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of normal court
proceedings. 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 G.O. Case
No.1454 of 2020/P.R. Case No.28 of 2020, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. There is no recovery from the conscious possession of the petitioner rather 52.125 litres of foreign liquor has been recovered from the courtyard, which does not belong to the petitioner. The petitioner has got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agree to deposit a sum of Rs.30,000/- (rupees thirty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

In the facts and circumstances of the case, let petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Session Judge-cum-Special Judge (Excise Act), Darbhanga in connection with G.O. Case No.1454 of 2020/ P.R. Case No.28 of 2020, subject to the conditions:



(1) Laid down under Section 438(2) of the Cr.P.C.

(2) 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.

(3) 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.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.30,000/- (rupees thirty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

(Anjani Kumar Sharan, J.)

Sanjay/-

U		T	
---	--	---	--

