

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20510 of 2022

Arising Out of PS. Case No.-733 Year-2021 Thana- GARKHA District- Saran

AMAR MAHTO Son of Shiv Nath Mahto Resident of Village - Phulwariya,
Police Station- Garkha, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

265.42 litres of illicit liquor was recovered from a dilapidated room belongs to the petitioner. One Munna Kumar was apprehended at the spot and he disclosed the name of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner. The name of the petitioner surfaced in the case on the disclosure made by



apprehended accused, Munna Kumar.

Petitioner is ready 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.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, 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 1st Exclusive Special Judge, Excise, Saran in connection with Garkha P.S. Case No.733 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his wife.



(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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