

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40109 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- SAKRA District- Muzaffarpur

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NARESH MAHTO S/o MISHEELAL MAHTO Resident of Village-
Harsingh Lautan, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 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 offences punishable under Sections 272, 273, 120(B), 420, 467, 468, 471 of the Indian Penal Code and Sections 30(a)/36/41(i)(ii) of the Bihar Prohibition and Excise Act.

8644.44 litres of foreign liquor has been recovered from different vehicles.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. Only 6 litres of foreign liquor has been recovered



from the motorcycle of the petitioner. It is further submitted that the said motorcycle has already been sold by the petitioner to another person (Annexure-2 of the bail application). It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration 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 Special Judge, Excise, Court-I, Muzaffarpur in connection with Sakra P.S. Case No.79 of 2022, 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 his own blood relative, 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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