

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53269 of 2022

Arising Out of PS. Case No.-142 Year-2022 Thana- BARAUNI District- Begusarai

Dhiraj Mahto @ Dhiraj Kumar @ Dheeraj Mahto Son Of Arjun Mahto R/O
Village- Thakurichak, P.S.- Barauni (Garhara), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 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 Section 30(a) of the Bihar
Prohibition and Excise Act.

36 litres of foreign liquor has been recovered from the
place of occurrence. The petitioner is said to have fled away from
the place of occurrence after seeing the police.

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 three
criminal antecedents as stated in paragraph-3 of the bail
applications but they are not related with the Excise Act. 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. 25,000/- (rupees twenty five thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, 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 Exclusive Excise Judge-1, Begusarai in connection with Barauni P.S. Case No.142 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.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services



Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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