

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68174 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- ARIYARI District- Sheikhpura

Mahendra Prasad @ Mahendra Mahto Son of Kameshwar Mahto Resident of
Village- Sasbahna, P.S.- Ariyari (Kasar O.P.), District- Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner	:	Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party	:	Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned A.P.P.
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 Amendment Act, 2018.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 36 liters of country made liquor is said to have been recovered from a motorcycle (Honda SP-125). Petitioner is the owner of seized motorcycle. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner has agreed to deposit a sum of Rs. 20,000/-

(Rupees Twenty Thousand) in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, 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 Court below where the case is pending/successor Court in connection with Ariyari (Kasar O.P.) P.S. Case No. 248 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

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

(2) 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 account of Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

Shahnawaz/-

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