

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68539 of 2022

Arising Out of PS. Case No.-569 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Janak Mahto Son of Sukhdev Mahto Resident of village - Dedaul, P.S.- Sakra,
District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Mahendra Thakur, Advocate
For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

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 Act.

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 97.5 liters of foreign
liquor is said to have been recovered from the place of
occurrence, one person was apprehended who disclosed the
name of the petitioner. Petitioner has no concern either with the
seized liquor or the place of recovery or any trade of liquor. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He was not apprehended on the

spot. Petitioner has one criminal antecedent but not of similar nature as mentioned in para-3 of this application.

Petitioner has agreed to deposit a sum of Rs. 10,000/- (Rupees Ten 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 Excise P.S. Case No. 569 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)

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