

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22581 of 2023

Arising Out of PS. Case No.-152 Year-2020 Thana- PANCHRUKHI District- Siwan

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PAPPU PRASAD @ PAPPU MAHTO S/O RAMANIHORA PRASAD R/O
VILLAGE- BARKAGAON, P.S- SARAI O.P, DISTRICT- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR A.G PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The defect pointed out by the office is ignored.

3. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 272 and
273 of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

4. 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

34.560 liters of foreign liquor is said to have been recovered

from bamboo clamp. 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. The place of recovery is an open place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (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.

6. 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 six 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 Pachrukhi (Sarai) P.S. Case No. 152 of 2020 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.

7. 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, Patna.

(Anjani Kumar Sharan, J)

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