

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34805 of 2023**

Arising Out of PS. Case No.-301 Year-2022 Thana- PANCHRUKHI District- Siwan

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Khus Mohammad @ Khus Mahamad son of Lal Mohammad @ Lal Mahamad  
Sah Resident of Village- Chaumukha, PS- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Kanhaiya Kishor (App)

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      24-06-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

87.200 litres of country made liquor has been recovered from a tempo.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal antecedent of similar nature as stated in paragraph-3 of the bail application. It is further submitted that the said tempo does not belong to the petitioner. It is submitted that there is no recovery from the conscious possession of the petitioner.



Petitioner is agree 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.

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 Special Excise Court-1, Siwan in connection with Pachrukhi P.S. Case No.301 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 account of Patna High Court Legal  
Services Committee, Patna.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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