

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48348 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- BIRAUL District- Darbhanga

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Ram Chandra Mahto @ Ramchandra Pasi, Son of Ratichandra Mahto @
Ratichan Mahto, Resident of Village- Supaul Bazar, PS- Biraul, Distt-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Mr. Rajib Ranjan Jha, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Biraul P.S. Case No. 219 of 2023 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. Allegedly on an information given by the wife of
the younger brother of the petitioner, the police conducted raid
and from their Courtyard two litres of country made liquor was
recovered.

4. Learned counsel appearing on behalf of the
petitioner submits that the alleged recovery has been made from



a courtyard of joint family, which is accessible to all the family members. However, only on account of some dispute with regard to partition of ancestral land, a false case has been instituted at the behest of the petitioner's younger brother and his wife. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and will not indulge in any kind of such crime in future.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from the courtyard of joint family, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Darbhanga in connection with Biraul P.S. Case No. 219 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the



bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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