

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57191 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- BAHERI District- Darbhanga

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ASHOK KUMAR MAHTO @ ASHOK MAHTO @ ASHOK KUMAR SON
OF RAJ KUMAR MAHTO RESIDENT OF VILLAGE DHOBOPUR
BANSARA, PS- HAYAGHAT, DIST- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

For the Opposite Party/s: Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a)/32/41 of Bihar Prohibition and Excise Act, 2016 and u/s 120(B), 420, 467, 468 and 471 I.P.C.

3. Allegedly, 1332.615 liters of foreign liquor is said to have been recovered from a bus. As the liquor was deloading from bus and loading to other vehicle, namely Tata Magic and Maruti Alto car. The petitioner fled away from the spot, and apprehended person disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the con-



scious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis of secret information. It is further submitted that the petitioner has three criminal antecedent of similar nature.

5. Petitioner is agreed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, 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 Baheri Police Station Case No. 147 of 2023, 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.

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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