

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74220 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- RAHIKA District- Madhubani

RADHE SHYAM MAHTO S/o Suraj Mahto R/o Village- Karkauli, P.S.-
Sadar Mabbi (O.P.), Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 Heard learned counsel for the petitioner and
learned APP for the State.

Learned counsel for the State is directed to remove
the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 272, 273
and 34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 96 liters of country made
liquor is said to have recovered from the motor-cycle of the
petitioner. He submits that the petitioner is the owner of the
motor-cycle due to which he has been made accused in the



present case. He submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty 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.

Considering the facts and circumstance of the case, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Rahika P.S. Case No. 09 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

- (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, Patna.

(Anjani Kumar Sharan, J)

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