

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67777 of 2022

Arising Out of PS. Case No.-493 Year-2022 Thana- MAHUA District- Vaishali

MAHESHWAR SINGH Son of Jaynarayan Singh Resident of Village - Mirza
Nagar, P.S.- Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sameer

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-01-2023 Heard the parties through virtual Court proceedings.

Petitioner apprehends his arrest in a case registered for
offence u/s 30 (a) of Bihar Prohibition & Excise Act, 2016.

Altogether 14 liters of illicit liquor is said to have been
recovered from a tempo.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
incriminating article has been recovered from his conscious
physical possession. He has no concern with the seized liquor or
any trade of liquor. He has been falsely implicated in this case.
He was not apprehended on the spot and his name transpired in
the case only on the basis that he is owner of the vehicle but the
same was sold to one Md. Nizam on 4th January, 2020. Md.
Nizam did not pay the monthly installment of loan to Ashok



Repo Agency, therefore, the said tempo was seized on 12th September, 2021 by the company and was sold to some unknown person. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

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 Mahua P.S. Case No.493 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid in the PM Cares fund.

(Anjani Kumar Sharan, J)

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