

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74946 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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ARUN KUMAR MAHTO Son of Late Jaddu Mahto Resident of Ward - 27
Alalpatti, P.S. - Beta, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise (Amendment) Act, 2016.

Allegedly, 76.200 litres of Nepali Saufli liquor which
was kept in three plastic bags, has been recovered from a
tempo. One person was apprehended and one was managed to
flee away.

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 the conscious
physical possession of the petitioner. Petitioner has no concern



either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case. His name has been transpired in this case because he is the registered owner of said tempo. He was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty 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 Excise P.R. Case No. 33 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the



further conditions that

(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 PM Cares fund.

(Anjani Kumar Sharan, J)

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