

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73343 of 2023**

Arising Out of PS. Case No.-243 Year-2023 Thana- SARAI RANJAN District- Samastipur

RAVI MAHTO @ RAVI KUMAR MAHTO SON OF RAJENDRA  
MAHATO RESIDENT OF VILLAGE - BHAGWATPUR, PS-  
SARAI RANJAN, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      01-12-2023      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 Section 30 (a) of the Bihar Prohibition and Excise Act.

3(a). The prosecution story, in brief, is that on the basis of secret information, the police reached at the petitioner's shop. Seeing the police party, two persons fled away from the spot leaving his motorcycle from which 9 litres of foreign liquor has been recovered.

3(b). It is further alleged that from the distance of 100 meter from the shop of the petitioner, two persons were talking in the bush. The police party chased them, but they got



succeeded in fleeing away. After search, 132.15 litres foreign liquor has been recovered from a plastic bag.

4. 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 at the instance of his enemy. Neither he is the owner or the driver of the said vehicle. He was not apprehended on the spot. He had not consumed liquor. There is nothing on record to indicate the complicity of the petitioner. He has been made accused in the present case merely on suspicion. Petitioner has one criminal antecedent of similar nature that of the present case as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.50,000.00 (Rupees Fifty Thousand) in 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 Sarairanjan P.S. Case No. 243 of 2023, 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.

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 Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

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