

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78762 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Manish Sah S/O- Late Rajendra Sah Village- Chalispul Ps- Masrakh Dist-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 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 Sections 30 (a) and 41 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 2000 liters of spirit is said to have been recovered from the vehicle. He submits that the local Choukidar disclosed the name of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central



Bank of India, Chitkohra Branch.

5. 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 Baikunthpur P.S. Case No. 310 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

6. 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 Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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