

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79366 of 2023

Arising Out of PS. Case No.-357 Year-2023 Thana- BISFI District- Madhubani

SHYAM KUMAR MAHTO son of Talebor Mahto @ Tale Var Chaudhary
Village- Bisfi Gola Ps- Bisfi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 4.5 litres of illicit liquor is said to have been recovered from the motorcycle and 4.5 litres of illicit liquor has been recovered from the shop 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 one criminal antecedent as mentioned in para-3 of this application in which he is on bail.

4. Petitioner is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, Central Bank of India, Chitkohra Branch, IFSC Code : CBIN0282779 (fifth character is zero), MICR Code : 800016018.

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 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 Bisfi P.S. Case No. 357 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.

(Anjani Kumar Sharan, J)

Ranjeet/-

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