

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81705 of 2023**

Arising Out of PS. Case No.-380 Year-2023 Thana- BISFI District- Madhubani

Mani Shankar Yadav @ Birbal @ Mani Shankar Bharti Son Of Birendra  
Yadav R/O Village - Bharantol, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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

2      22-12-2023                      Heard learned counsel for the petitioner and  
learned APP for the State.

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

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 220.500 liters of illicit liquor is said to have recovered from the bamboo orchard. He further submits that allegation against the petitioner is that he along with other co-accused managed to ran away from the place of occurrence. He submits that local chaukidar disclosed the name of the petitioner. He further submits that there is no recovery



made from the conscious possession of the petitioner. He submits that petitioner has got one criminal antecedent not in similar nature of the offence as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five 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. Considering the facts and circumstance of the case, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bisfi P.S. Case No. 380 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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 the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

**(Anjani Kumar Sharan, J)**

ajay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

