

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62277 of 2024**

Arising Out of PS. Case No.-211 Year-2021 Thana- BENIPATTI District- Madhubani

Kaushal Kumar @ Kaushal Mahto Son Of Ranglal Mahto Resident Of Village  
- Gangaur, Ward No.08, P.S - Harlakhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      02-09-2024                      1.      Heard learned counsel for the petitioner and  
learned APP for the State.

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

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 8.7 liters of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized motorcycle. It is next submitted that no prudent person would use his own vehicle for committing an



occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Santosh would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Benipatti P.S. Case No. 211 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

**7. The application stands allowed.**

**(Satyavrat Verma, J.)**

Sudhanshu/-

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