

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69137 of 2023

Arising Out of PS. Case No.-188 Year-2023 Thana- KHANPURA District- Samastipur

Umesh Mahto @ Umesh Kumar S/O Bisheshwar Mahto Village- Kanu
Bishunpur, Ward No. 01, Ps. Khanpur, Dist. Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case in connection with Khanpur P.S. Case No. 188 of 2023, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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 37.500 litres of foreign liquor is said to have been recovered from the place of occurrence. Petitioner has no criminal antecedent mentioned in Para 3 of the bail application.



5. Learned APP for the State has opposes the prayer for bail.

6. Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five 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 Khanpur P.S. Case No. 188 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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