

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70767 of 2023**

Arising Out of PS. Case No.-159 Year-2021 Thana- BRAHMPURA District- Muzaffarpur

RAJ KUMAR MAHTO S/O RAM SOGARATH MAHTO R/O VILLAGE-  
GORAI WARD NO. 2, P.S- CHAKEHSI, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Rana Randhir Singh

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

3      06-02-2024                      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 under Sections 272 & 273/34 of the Indian Penal Code and Sections 30 (a) & 41 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 2652.39 liters of foreign liquor is said to have been recovered from the place of occurrence. 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. It is further



submitted that six arrested persons disclosed the name of others including one Raj Kumar Sah without parentge and address but subsequently the police filed his requisition on the name and parentage of the petitioner. It is further submitted that one similarly situated co-accused, namely, Sudhanshu Kumar @ Pintu Mahto has already been granted bail by a co-ordinate Bench of this Court vide order dated 11.03.2022 passed in Cr. Misc. No.9757 of 2022. Petitioner has one criminal antecedent as mentioned in para-3 of this application which is not similar nature of the offence.

4. Petitioner is agreed to deposit a sum of Rs.75,000.00 (Rupees Seventy 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 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 Brahmpura P.S. Case No. 159 of 2021, 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)**

Trivedi/-

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

