

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33362 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- CHUTIA SAHAYAK District- Rohtas

BADRI SAH S/o Late Sita Sah R/o Village- Amahua, P.S.- Chutiya, District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-12-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Chutiya P.S. Case No.38 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act and under Sections 3 and 4 of Mahua Flower Rules.

The petitioner was apprehended and on his confession, 2680 kgs. of Mahua flower was recovered from the side of river Sone.

The learned counsel for the petitioner submits that no offence under Section 30(a) of Bihar Prohibition and Excise Act is made out. There is regulation in dealing Mahua flower which is dealt in Mahua Flower Rules. The petitioner was not found illegally selling Mahua flower. The Mahua flower was recovered from the riverbed and for that, the petitioner is in jail since 10.05.2020. Petitioner has already remained in jail for



about seven months and petitioner has got no criminal antecedent.

Taking into consideration the facts aforesaid, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Chutiya P.S. Case No.38 of 2020.

(Prabhat Kumar Jha, J)

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