

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33587 of 2020

Arising Out of PS. Case No.-403 Year-2017 Thana- BELAGANJ District- Gaya

=====

BHOLA KUMAR, Son of Shambhu Saw Resident of Village- Belaganj, P.S.-
Belaganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-03-2021 Heard Mr. Aryan Singh, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned APP for

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Belaganj P. S. Case No. 403
of 2017 dated 04.12.2017, instituted for the offences
under Sections 30 (B) of the Bihar Prohibition and
Excise Act, 2016 and Sections 2(e), 3, 5(b), 18 and 42
of Bihar Excise (Mahua Flowers) Rules, 2006.

One Krishna Gupta was intercepted and
arrested on the charge of driving a vehicle on which
Mahua flower was loaded in large quantity. Aforesaid



Krishna Gupta is said to have stated before the police that the Mahua flower as well as the Three-wheeler belongs to Dipu Saw. In the same transaction, it has been stated, aforesaid Krishna Gupta had confessed that the Mahua flower was to be delivered to the petitioner.

The learned counsel for the petitioner has submitted that only because of the aforesaid statement by Krishna Gupta, the petitioner is sought to be prosecuted in this case.

The owner of the vehicle as also of the Mahua flower, namely, Dipu Saw has been granted anticipatory bail.

Regard being had to the afore-stated facts and taking into account the clean antecedents of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with



two sureties of the like amount each to the satisfaction
of the learned Special Judge – Excise Act, Gaya, in
connection with Belaganj P. S. Case No. 403 of 2017,
subject to the conditions as laid down under Section 438
(2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

