

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32688 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- NOKHA District- Rohtas

SHATRUDHAN RAM KUMAR, Son of Baban Ram Resident of Village-
Baraon, P.S.- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-02-2021 Heard Mr. Rajani Kant Singh, learned counsel

for the petitioner and Mr. Atul Chandra, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Nokha P. S. Case No. 52 of

2020 dated 03.04.2020, instituted for the offences

under Section 30 (a) (b) (c) of Bihar Prohibition and

Excise (Amendment) Act, 2018.

35 kgs. of Mahua flower has been recovered

from the field of one Mahendra Chaudhary. Similarly, 40

kgs. of Mahua flower has been recovered from the field

of one Kailash Chaudhary.



Apart from this, it has been alleged in the F.I.R. that in the front of the house of co-accused Ram Lagan Chaudhary, three motor-cycles were found parked. One of such motor-cycles belongs to the petitioner.

The learned counsel for the petitioner has submitted that he is sought to be prosecuted in this case on the basis of the presence of the motor-cycle belonging to him from in front of the house of one Ram Lagan Chaudhary. There is no allegation in the F.I.R. that the said item was recovered from the motor-cycle of the petitioner or was carried on the motor-cycle of the petitioner. Thus, the accusation against the petitioner is only on the basis of suspicion.

The petitioner does not have circumstances.

Considering all these facts, the petitioner, above-named, 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 IInd Additional District and Sessions Judge - cum - Special Judge, Excise, Rohtas at Sasaram, in connection with Nokha P. S. Case No. 52 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

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

