

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35725 of 2020

Arising Out of PS. Case No.-183 Year-2020 Thana- MASHRAK District- Saran

Bhola Ram, S/O Krishna Ram, Resident of Village - Mashrak Gopalbari, P.S.
- Mashrakh, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-05-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Mashrakh P.S. Case No. 183 of 2020, registered under Sections 30, 30(a)/38/41 of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about keeping of illicit liquor in the Bathan by Bhola Ram (petitioner) of village Mashrak Gopalbari, the informant and other police personal reached there. On seeing the



police party, one person started to flee away while he was chased but succeeded to flee away. In course of search of Bathan, one lady was seen in the Bathan, who also tried to flee away but she was caught hold, who disclosed her name as Phulmati Devi. On search, 110 bottles each containing 375 ml of Indian made foreign liquor were recovered from the Bathan. On query, the caught hold lady, Phulmati Devi, disclosed that the person, who fled away is her son, Bhola Ram (petitioner).

Learned counsel for the petitioner submits that it would appear from the FIR that petitioner was not apprehended at the spot but mere on suspicion, mother of the petitioner was apprehended nearby the said Bathan. Mr. Awadhesh Kumar Singh, learned counsel appearing for the petitioner, submits at bar that the alleged Bathan is not belonging to the petitioner. Further submission is that petitioner has no criminal antecedent.

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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-Cum-Special Judge Excise, Saran at Chapra, in



connection with Mashrakh P.S. Case No. 183 of 2020, subject to
the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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