

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25670 of 2022**

Arising Out of PS. Case No.-76 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

BHOLA RAI SON OF BRIJ MOHAN RAI R/O VILLAGE- SADHA, P.S.-  
CHAPRA MUFFASIL, DISTRICT- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Ms. Sharda Kumari

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

2      26-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

120 litres of illicit liquor has been recovered from a motorcycle. The nearby people disclosed that the said motorcycle belongs to the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner and petitioner has got one criminal antecedent of similar nature as stated in paragraph-3 of the bail application. It is submitted that the said



motorcycle does not belong to the petitioner as stated in paragraph-7 of the bail application.

Petitioner is ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail 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 Ist Exclusive Special Excise Court, Saran at Chapra in connection with Chapra Muffasil P.S. Case No.76 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, 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.

**(Anjani Kumar Sharan, J.)**

Sanjay/-

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