

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3052 of 2023

Arising Out of PS. Case No.-634 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

BHOLA PRASAD @ BHOLA BIN Son of Jay Nath Prasad @ Jay Nath Bin
Resident of Village- Chanaur Bin Toli, P.S.- Siwan Muffasil (Dhanauti O.P.),
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

10.860 litres of country made liquor has been
recovered from the house of the co-accused person. The
petitioner is said to have fled away from the place of occurrence
after seeing the police.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got one
criminal antecedent of similar nature as stated in paragraph-3 of



the bail application. It is further submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration 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 Additional District Judge-II-cum-Exclusive Court 1st, Siwan in connection with Siwan Muffasil (Dhanauti O.P.) P.S. Case No.634 of 2021, 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 his own blood relative, 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.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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