

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41382 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- PARANDABAR District- Nawada

Kundan Ravidas Son of Bhola Ravidas @ Bhola Ram Resident of Village-
Karigidhi, P.S.- Parnadabar, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Parnadabar P.S. Case No. 275 of 2023 registered for the alleged offences under Section 30(a), 41 of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner bringing country made *mahua* liquor on motor cycle. Checking of vehicles was started and seeing police party motorcycle rider fled away from the spot leaving behind the motorcycle and from the said motorcycle recovery of 20 litre country made liquor was made from the bag tied in the motorcycle.

04. Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. Motorcycle from which recovery has been shown does not belong to petitioner and he was not even riding the motorcycle during the relevant time. The prosecution story about informer naming the petitioner is not believable. Petitioner has been made accused in this case by the persons who are on inimical terms with the petitioner and the petitioner has earlier been made accused in Parnadabar P.S. Case No. 20 of 2023 in which final form has been submitted.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of learned Exclusive Special Excise Judge 1st, Nawada in connection with Parnadabar P.S. Case No. 275 of 2023, subject to

the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner
- .(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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