

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45770 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- Excise P.S. District- Nawada

Bhola Yadav, son of Ragani Yadav Village- Lohani Bigha Ps- Muffasil Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Ranjan

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-07-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.
2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and the

allegation is of recovery of 15 litres of liquor along with 600

litres of fermented jawa mahua solution from a place near

the bank of river.
4. The learned counsel for the petitioner submits

that petitioner was not arrested from the spot, as such,



nothing was recovered from his conscious possession and even alleged recovery is from a place near the bank of a river, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local people, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-2nd, Nawada in connection with Nawada Excise P. S. Case No.295 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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