

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71573 of 2024

Arising Out of PS. Case No.-520 Year-2024 Thana- MASHRAK District- Saran

=====

Bhola Nut Son of Sant Lal Nat Resident of village - Sisai, P.S.- Mashrakh,
Dist.- Saran at Chapra. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Learned counsel for the petitioner has filed a
supplementary affidavit in Court.

3. Let it be kept on record.

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

5. It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather
13.140 liters of wine and 1360 liters of spirit is said to have
been recovered from the field of Chaman Singh. Petitioner is
neither the owner of that field nor the family members of the
owner of the field, namely, Chaman Singh. As the petitioner



has criminal antecedent of similar nature of the offence, the informant has made accused him in this case in a routine manner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioner has four criminal antecedents of similar nature of the offence as mentioned in para-3 of this application.

6. Petitioner is agreed to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh), as stated by him in para-3 of the supplementary affidavit filed today, in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

7. 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of



learned Court below where the case is pending/successor Court in connection with Mashrakh P.S. Case No. 520 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

