

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75439 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Babulal Pasi S/o- Late Doma Pasi R/O-Vill- Bhagwanpur, P.S- Bhagwanpur,
District-Kaimur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad, Advocate
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bhagwanpur Excise P.S. Case No. 212 of 2024, registered on 31.07.2024 for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about a person taking country made Mahua liquor on a bicycle. Search was started and the petitioner was apprehended carrying 6 litres of country made Mahua liquor which was kept on his bicycle.

4. 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 conscious possession of the petitioner. The petitioner is in custody since 31.07.2024 and is having antecedent of 3 cases of similar nature but he is on bail in all the cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be habitual offender and does not deserve to be enlarged on bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of illicit liquor shown to be recovered from the petitioner and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Ind, Kaimur at Bhabhua/concerned Court in connection with Bhagwanpur Excise P.S. Case No. 212 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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