

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8777 of 2025

Arising Out of PS. Case No.-244 Year-2023 Thana- ARA NAWADA District- Bhojpur

Sanjay Kumar S/o- Basropan Chaudhary Resident of village- Sarangpur PS-
Agiaon District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-03-2025 Heard the parties.

2.The accused/petitioner is not named in the
F.I.R. and apprehending his arrest in connection with Ara
Nawada P.S. Case No. 244 of 2023 registered for the
offence under Section 30(a) and (d) of the Excise Act.

3. The allegation against the petitioner is
recovery of 1150 kg Mahua Java flower which used as a
raw material for preparing illicit liquor and as prohibited
under Excise Act.

4. It is submitted by learned counsel appearing
on behalf of the petitioner that admittedly as per seizure
list *mahua* flower was recovered under the over bridge



and this petitioner was implicated with aforesaid case for the simple reason that his motorcycle bearing registration no. BH03H8079 was parked near the said bag of *mahua* flower. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual and legal submissions and by taking note of fact that as recovery of alleged *mahua* flower not *prima-facie* appears to be made from the conscious physical possession of the petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Bhojpur at Ara/concerned Court, where the case is pending in connection with Ara Nawada P.S. Case No. 244 of 2023,



subject to the conditions as laid down under Section
438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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