

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9723 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- Bikramganj Excise District- Rohtas

Dablu Turha @ Dablu Kumar Turha S/o- Badan Turha Village- Semari Ps-
Dawath Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Adv.
For the Opposite Party/s : Mr.Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Excise Case No. 586 of 2024 arising out of Bikramganj P.S. Case No. 119 of 2024, registered for the offences under Sections 30(a) and 62 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, police received secret information about petitioner bringing India made foreign liquor in his house and his father selling the same. A raid was conducted but the petitioner escaped from his house on seeing the police party and recovery of 34.875 litres of India made foreign liquor was made from the house of the petitioner and co-accused father of the petitioner was apprehended.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from physical or conscious possession of the petitioner. The recovery has been shown from a joint house and the liability could not be fastened on this petitioner. The co-accused father of the petitioner was arrested and granted bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 75798 of 2024. The petitioner was not present in the house when the raid was conducted and it appears his name came up in the disclosure statement of co-accused. The petitioner is in custody since 15.01.2025 and he is having antecedent of one case of similar nature. He is on bail in this case.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram/concerned court, in connection

with Excise Case No. 586 of 2024 arising out of Bikramganj P.S. Case No. 119 of 2024, subject to the condition laid down under Section 437(3) 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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