

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10690 of 2025

Arising Out of PS. Case No.-281 Year-2024 Thana- JHAJHA District- Jamui

Brahmdeo Murmu S/O Muchru Murmu R/O Village- Gudiyara, P.S- Jhajha,
Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanju Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. A perusal of the First Information Report and the seizure list would go to show that 4 liters of country made liquor has been recovered from a forest area where the police had reached on the basis of a secret information that the petitioner and others were manufacturing the illicit liquor. 16 drums of 1000 litres of Zawa Mahua which was put in the water was also found near the place of occurrence and one person was apprehended who disclosed his name to be Baldev Marandi.

4. Learned counsel for the petitioner submits that the



recovery of the liquor has been made from one Baldev Marandi who has not taken the name of this petitioner and the name of the petitioner has surfaced in the case only on the basis of confidential information received by the police. No recovery has been made from the physical and conscious possession of the petitioner and the place of recovery is an open place which is accessible to all. Further there is no independent witness to the seizure list and the petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering the above-mentioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. 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 four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jhajha P.S. Case No. 281 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S. and subject to the further condition that:-



(i) The petitioner shall cooperate in the investigation/trial.

(ii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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