

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15331 of 2025

Arising Out of PS. Case No.-719 Year-2021 Thana- MADHAURAH District- Saran

Satrohan Nut Son of Late Vishwanath Nut village- Pakahan, Ps- Marhowrah,
Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv

For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends his arrest in connection with
Marhowrah P.S.Case No. 719 of 2021 registered for the offences
punishable under Sections 30(a), 47 of the Bihar Prohibition &
Excise Act.

3. From perusal of the first information report as also
the seizure list, it would appear that 55 liters of spirit was
recovered from the motorcycle bearing Registration no. BR-
04Z28442, which was duly seized besides some other recovery
being made from the house of other persons. So far as petitioner
is concerned, it is said that he is the owner of the said
motorcycle and this is the reason that his name has transpired in
the instant case.

4. The learned counsel for the petitioner submits that
as a matter of fact, the motorcycle was parked at a particular



place and the same had gone missing.

5. Learned APP for the State submits that the petitioner has three criminal antecedents of same nature. However, in response it is submitted that petitioner is on bail in all the cases.

6. In view of the submission that there is no independent witness to the seizure and no recovery has been made from conscious possession of the petitioner, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall 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 the learned Exclusive Special Judge Excise- Saran at Chapra in Marhowrah P.S. Case No. 719 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that (i) the petitioner shall co-operate in investigation/ trial.(ii) the learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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