

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15578 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- NAYAGAON District- Saran

Buta Hazara Son of Jarban Hajra @ Jarwan Paswan village - Kasturichak, P.
S - Nayagaon , District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nayagaon P.S. Case no. 255 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the police got information that the petitioner was indulged in making and selling illegal liquor. It is further alleged that from the asbestos house, altogether 40 liters of illegal liquor and 120 liters of '*jawa mahua*' was recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the



place from where the recovery has been made is an open place and at the time of recovery, the petitioner was not there which is clear from the seizure list that is why it does not contain the signature of the petitioner. It is further submitted that the provisions of Section 100 of the Cr.P.C. has not been followed. Petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Nayagaon P.S. Case no. 255 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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