

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36340 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- KADWA District- Katihar

Hanjo Murmu S/o Late Jangli Murmu R/o- Bharri, P.S.- Kadwa, Distt.-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list, would go to show that 10 liters of country made liquor is said to have been recovered from a plastic gallon which was recovered from back side of the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the name of the petitioner has surfaced in the present case on disclosure made by some local villagers as being the person who



fled away with the gallon upon chase by the police. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list. Further, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 the learned court below where the case is pending/successor court in connection with Kadwa P.S. Case No. 08 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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