

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37351 of 2025

Arising Out of PS. Case No.-2 Year-2023 Thana- DHIBRA District- Aurangabad

Saroj Prasad @ Saroj Mehta S/O Jhari Prasad Resident of Village- Dema
Tola, Piparghat, P.S.- Hariharganj, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Dhibra P. S. Case No. 2 of 2023 dated 04-01-2023, instituted
under Sections 30(c) and 38 of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3.The allegation is of the recovery of 40 KG of
Mahua flower from a sack kept on the seat of a motorcycle
bearing registration No.- JH03M8551, which allegedly belongs
to the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that the petitioner was not
arrested at the spot. The motorcycle in question was sold by the
petitioner to one Upendra Yadav on 24.07.2013, about ten years



ago, and a sale letter to that effect was prepared, which has been annexed with the bail petition as Annexure -P/2. It is further submitted that the purchaser of the motorcycle deliberately did not get the vehicle transferred in his name from the transport office, due to which the petitioner has been falsely implicated in this case. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise II, Aurangabad, in Dhibra P. S. Case No. 02 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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