

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51615 of 2025

Arising out of PS. Case No.-244 Year-2025 Thana- JHAJHA District- Jamui

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Ruplal Hansda, Son of Binod Hansda, Resident of village - Tulsikara, P.S.-
Jhajha, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanju Singh, Advocate

For the Opposite Party/s: Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner is apprehending his arrest in a case instituted for the offences under Section 30(a) of Bihar Excise Act. He has one criminal antecedent, i.e., Jhaha P.S. Case No. 585 of 2022 instituted under Sections 30(a) and 32 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police received a secret information that the petitioner had been selling illicit country-made liquor from his house, a raid was conducted, however, no person was apprehended and all escaped including the Petitioner and on search 12 litres country-made mahua liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case and he has one criminal case against his name and admittedly recovery was not made from the conscious physical possession of the petitioner and it was recovered from the house of the petitioner which is a joint family property. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- before the Patna High Court Legal Services Committee.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submission of learned counsel as well as undertaking given by learned counsel for the petitioner, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today on depositing a sum of Rs. 5,000/- (Five Thousand) before the Patna High Court Legal Services Committee and a receipt of the same shall be furnished before the learned court below at the time of furnishing bail bond. Thereafter, he shall furnish bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-I, Jamui in connection with Jhajha P.S. Case No. 244 of 2025, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of



verification.

(v) If the petitioner is found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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