

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85818 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- EXCISE PIRO District- Bhojpur

Bigan @ Bigan Sao @ Ashok Kumar Son of Mahendra Prasad Resident of
Village - Tenduni Bikramganj, P.S. - Bikramganj, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30(a)(c)(d) and 36 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Altogether 4881.780 litres of foreign liquor, 760.00 litres of spirit and other articles like 520 empty plastic bottles with corks, 600 pieces of stickers of whisky were recovered from the spot and one person was apprehended.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner. He submits that the petitioner was not apprehended on the spot and his name transpired in the case



on the confessional statement of the apprehended co-accused alleging that the pieces of stickers of whisky were supplied by the petitioner. He further submits that petitioner has two criminal antecedents of similar nature and has been languishing in custody since 16.11.2024.

5. Petitioner is agreed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Piro Excise P.S. Case No.113 of 2024, subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to



inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyer's Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

anand/-

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