

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16231 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Niraj Kumar Shrivastava, Son of Radhe Shyam Shrivastava, R/O Village-
Nigoh, Post- Rainiyapur Gobrahi, P.S.- Visheshganj, District- Baharaich
Shravasti (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Shekhar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This application is filed for grant of regular bail in
connection with Excise G.R. No. 787 of 2022 arising out of
Musarigharari P.S. Case No. 195 of 2022 registered under
sections 420, 467 and 468 of the Indian Penal Code and sections
30(a), 32, 36 and 41(i) of the Bihar Prohibition and Excise
(Amendment)Act, 2022.

Learned counsel for the petitioner submits that there is
recovery of 5418 litres of illicit liquor.

The petitioner has offered to deposit Rs. 40,000/-
(Rupees Forty Thousand Only) in Ramkrishna Mission



Sevashrama, Swami Vivekanand Path, Bela, Muzaffarpur, Bihar- 842002, without accepting his guilt.

The petitioner is from Uttar Pradesh. He has clean antecedent and he is in custody since 10.11.2022.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the period of custody of the petitioner and also the fact that he has clean antecedent, let the petitioner, above named, be released 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 Court of learned Special Excise Court-I, Samastipur in connection with Excise G.R. No. 787 of 2022 arising out of Musarigharari P.S. Case No. 195 of 2022.

The petitioner shall deposit an amount of Rs. 40,000/- (Rupees Forty Thousand Only), as has been offered by him, in the Ramkrishna Mission Sevashrama, Swami Vivekanand Path, Bela, Muzaffarpur, Bihar- 842002 and will produce the receipt of the same at the time of furnishing the bail bonds in the court below. The bail bonds of the petitioner shall be accepted only after he produces the receipt of Rs. 40,000/- (Rupees Forty Thousand Only) issued by the Ramkrishna Mission Sevashrama,



Muzaffarpur and after verification of the genuineness of the said receipt from concerned Ramkrishna Mission Sevashrama.

Since the petitioner is from Uttar Pradesh, the Court below is directed to verify the recent address of the petitioner before releasing him and one of the bailors should be blood relative of the petitioner.

The verification process shall be initiated by the learned Court below just after the communication of the copy of this order to the learned Court below.

(Sandeep Kumar, J)

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