

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67453 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- CHANAN District- Lakhisarai

NEERAJ KUMAR Son of Ramashis Ram Resident of Village - Pratapapur,
P.S. and District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Chanan P.S. Case No.122 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Excise Prohibition Amendment Act, 2018.

The allegation is regarding the recovery of 12 litre of illicit liquor from a motorcycle stated to be belonging to the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he



is having a clean antecedent and he is languishing in custody since 18.08.2022. The learned counsel for the petitioner has referred to paragraph 6 of the present petition to submit that the alleged motorcycle in question does not belong to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner, apart from the fact that the petitioner has categorically stated in the present petition that the alleged motorcycle in question does not belong to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV-cum-Special Excise Court-1st, Lakhisarai in connection with Chanan P.S. Case No.122 of 2022.

(Mohit Kumar Shah, J)

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