

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26302 of 2024

Arising Out of PS. Case No.-237 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Niranjan Kumar @ Niranjan Yadav @ Niranjan Kumar Yadav Son of
Ramudgar Yadav @ Ramnath Yadav Resident of Village- Baghnochi, Police
Station- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable u/s 467/468/471/420 of the IPC and 30 (a)/36/41(1) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 3777.48 liters of foreign liquor is said to have been recovered from a truck.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has



no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on the basis of application given by the I.O. alleging therein that one Amarnath Sah had a syndicate of bootleggers and petitioner was working with the same. Petitioner is neither the owner nor the driver of the alleged vehicle. Petitioner has no criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.50,000.00 (Rupees Fifty Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Mohania P.S. Case No.237 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:



(i) 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.

(ii) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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 aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

