

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45843 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- ATHMALGOLA District- Patna

Neeraj Kumar @ Neeraj Singh @ Baua S/O Late Ramesh Kumar Singh R/O
Vilage-Mahuli,P.S.-Athmagola,Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the allegation is
of recovery of 23 litres of liquor from a sack allegedly thrown
by the petitioner.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a sack, which does not belong to the petitioner
and he came to be implicated at the instance of Chaukidar with



whom he is on an inimical term.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Barh, Patna in connection with Athmalgola P. S. Case No.136 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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