

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44223 of 2024

Arising Out of PS. Case No.-241 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Niranjan Kumar @ Niranjan Kumar Surya Son Of Bhaglu Ram Resident Of
Village - Ward No.-11, Ranisati Mandir Chak Mahila Sitamarhi, P.S. -
Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Ram Krishna
Nagar P.S. Case No. 241 of 2024, registered under Section
30(a), 32(ii)(iii) and 41(i) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 412.26 liters
liquor was recovered from truck and pick-up vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further



submitted that the petitioner is neither owner nor driver of any of the vehicles in question and name of the petitioner has transpired on the basis of confessional statement of co-accused person which has no evidentiary value. The petitioner has got two criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ram Krishna Nagar P.S. Case No. 241 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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