

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68841 of 2024

Arising Out of PS. Case No.-210 Year-2019 Thana- Excise P.S. District- Samastipur

Neeraj Kumar @ Niraj Kumar, Son of Shiv Kumar Sah, Resident of Village-
Darhia Belar, Police Station - Samastipur Muffasil , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise Case No. 210 of 2019 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that altogether 25.20 liters of foreign liquor was recovered from the land of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither any recovery has been made from his conscious



possession nor he has any concern with alleged liquor. The witnesses of the seizure list are police personnel.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner is having three criminal antecedents.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise Case No. 210 of 2019, he will be enlarged 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 learned Special Judge Excise-II, Samastipur, subject to the conditions as laid down under section 438(2) of the Cr.P.C. with a condition:-

1. That the petitioner shall not indulge in similar nature of the cases in future.

(Ashok Kumar Pandey, J)

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