

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79760 of 2024

Arising Out of PS. Case No.-216 Year-2021 Thana- MANER District- Patna

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Naveen Prakash Singh@Naveen Singh S/O Krishndeo Singh @ Gabbar Singh
R/O Village- Balua, P.S- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2024 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks bail in connection
with Maner P.S. Case No. 216 of 2021 registered for
the offences under Section 30 (a), 36, 41(1) and
41(2) of the Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R.

4. The allegation against the petitioner is
to be engage in illegal trading/manufacturing of
illicit liquor, where, there is recovery of 2131.20
litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf



of the petitioner submitted that the name of petitioner transpired on the basis of disclosure made by co-accused, who were apprehended on spot, save and except suspicion arising out of their disclosure nothing appears incriminating against this petitioner. It is submitted that petitioner is not connected in any manner with the alleged vehicle or illicit liquor. While concluding the argument it is submitted that illicit liquor was not recovered from the conscious possession of this petitioner, who is a man of clean antecedent and moreover similarly situated co-accused persons were granted anticipatory bail by Co-ordinate bench of this court through Cr. Misc. No. 44961 of 2021 vide order dated 15.11.2021, Cr. Misc. No. 45414 of 2021 vide order dated 22.11.2021 and Cr. Misc. No. 54399 of 2021 vide order dated 14.12.2021.

6. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical



possession of this petitioner, where name of this petitioner appears on the basis of suspicion arising out of disclosure made by apprehended co-accused person, where nothing incriminating appears recovered from him, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur, Patna/concerned Court below where the case is pending in connection with Maner P.S. Case No. 216 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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