

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76133 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- WARISNAGAR District- Samastipur

Nandan Kumar @ Saurabh Kumar Son of Lal Babu Ray Resident of village-
Dhanhar, PS- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-11-2024 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 her arrest in connection with Warisnagar P.S. Case No. 222 of 2024 instituted for the offence under Section 30(a) Bihar Prohibition & Excise Act.

3. The case of the prosecution is that the petitioner along with Bipin Kumar has concealed huge amount of liquor in the house of Nandan Kumar. On this information, the house of Nandan Kumar was raided and from his house altogether 121.33 litre of foreign made liquor was recovered.

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. He has no concern either with the seized liquor or trade of liquor in any



manner. From the perusal of the FIR, it is clear that at the time of search the door of the house was open and noone was there. The recovery was made from the roof top of the open house which is accessible to anyone. It has also been argued that seizure list witnesses are the members of the raiding party. Petitioner is having clean antecedent.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

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 Warisnagar P.S. Case No. 222 of 2024, 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 Exclusive Special Judge, Excise-2, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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