

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75425 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- Excise P.S. District- Madhepura

Karanjeet Kumar S/o- Bahadur Chauhan Resident of Village- Budhabe, Ward
No- 15 P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Saket Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Madhepura Excise P.S. Case No. 152 of 2024, registered on 18.08.2024 for the alleged offences under Sections 30(a), 45 of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about petitioner and other co-accused persons indulging in illicit trade of country made liquor and codeine containing cough syrup. A raid was conducted and from the house of co-accused Jugal Chauhan recovery of 20 litres of country made Mahua liquor and 600 ml of codeine containing cough syrup were made. The petitioner and other co-accused



persons were found trying to conceal the aforesaid contraband, who were apprehended from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is apparent that the recovery has been made from the house of co-accused Jugal Chauhan and as the petitioner just happen to be there he was also arrested. The petitioner has no concern either with the seized contraband or the co-accused person. The petitioner is custody since 19.08.2024 and he is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was apprehended from the spot from where recovery has been made and he was trying to conceal the contraband.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation and further considering the clean antecedent of the petitioner and period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII cum Special Judge, Excise-II, Madhepura



/concerned Court in connection with Madhepura Excise P.S.
Case No. 152 of 2024, subject to the conditions mentioned in
Section 437(3) of the Code of Criminal Procedure and also the
following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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