

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79638 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- Excise Benipatti District- Madhubani

Nikesh Jha S/O Babuvan @ Baban Jha @Sutai Jha R/O Vill -baliya, P.S-
Benipatti,Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioner and Mr.
B.N. Pandey, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Benipatti P.S. Case No. 08 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that one vehicle was intercepted on the basis of suspicion. Two persons were apprehended and from that vehicle, 270 liters of Nepali soft liquor was recovered. Apprehended persons disclosed that the vehicle belongs to 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. During the course of argument, learned counsel for the petitioner has submitted that the vehicle does not belong to petitioner and he is no way concerned either with the alleged vehicle or with the seized liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed 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 Benipatti P.S. Case No. 08 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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