

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4592 of 2024

Arising Out of PS. Case No.-818 Year-2022 Thana- ARARIA District- Araria

Md. Nasir @ Md. Nasir Reza @ Nasir Reza Son of Murshid @ Murshid Alam
Resident of Village-Rampur West, Ward No.11, PS-Bairgachhi, OP, District-
Araria

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Adv.

Ms.Diksha Kumari, Adv.

Mr.Kumar Rajdeep, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2024 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable u/s 30 (a) of Bihar
Prohibition and Excise Act.

3. Altogether 7.50 liters of ESKUF syrup is said to have
been recovered from the godown of the petitioner.

4. It is submitted by learned Senior Counsel for the
petitioner that the petitioner is quite innocent and has committed
no offence. He has been falsely implicated in this case due to
ulterior motive. No incriminating article has been recovered
from the conscious physical possession of the petitioner. He has



no concern with the seized syrup. He was not apprehended on the spot and his name transpired in the case on the basis that recovery has been made from his godown but the real fact is that he has given the godown on rent to one Md. Asif Reza. Petitioner has one criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Araria P.S. Case No.818 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to



how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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