

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2764 of 2024

Arising Out of PS. Case No.-244 Year-2023 Thana- NEMDARGANJ District- Nawada

Karan Kumar @ Chhotan S/O Arjun Yadav Village- Nandlal Bigha, Ps.
Nemdarganj, Dist. Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Nemdarganj P.S. Case No. 244 of 2023, registered on 28.08.2023 for the offences under Sections 30(a), 30(d) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police received secret information about running of illicit country made Mahua liquor furnace in the orchard of one Ramashish Yadav. A raid was conducted and three furnaces were found. Recovery of 30 litres of country made Mahua liquor and some articles used in manufacture of illicit liquor were made. 1500 litres of raw material was destroyed. Police came to know about involvement



of the petitioner and other accused persons from their informer and local Chaukidar.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Neither the petitioner nor any other persons has been arrested from the spot and no recovery of any incriminating article has been made from the conscious possession of the petitioner. Merely on saying of local Chaukidar and informer, petitioner has been named in this case. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering remoteness of allegation without any substantive material against the petitioner and further considering strong possibility of false implication of the petitioner, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-



1st, Nawada/concerned court in connection with Nemdarganj
P.S. Case No. 244 of 2023, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure and
other 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, if so required by the
learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

U		T	
---	--	---	--

