

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33420 of 2025

Arising Out of PS. Case No.-76 Year-2023 Thana- JAYNAGAR District- Madhubani

Niru Giri @ Niranjan Giri, S/o Chandrika Giri @ Mahesh Giri, R/o Village-
Inarwa, P.S.-Khajuri, District- Dhanisa (Nepal). At Present- R/o Village-
Chapahi, P.S.- Rajnagar, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR and apprehending his arrest in connection with Jaynagar P.S. Case No.76 of 2023 registered under Sections 272, 273, 414 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 454.125 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel for the petitioner that the name of petitioner transpired on the basis of disclosure made by apprehended co-accused, namely, Mahesh Kumar Mandal. It is submitted that admittedly illicit liquor was not



made from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 the learned District and Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No.76 of 2023, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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