

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36936 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- ARA NAGAR District- Bhojpur

Neeraj Kumar @ Niraj Kumar son of Ashok yadav @ Ashok Kumar Village-
Bhaluhipur, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ara Town P.S. Case No. 223 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.

3. As per prosecution case, the police has recovered
total 300 liters of illicit country made Mahuwa liquor from the
Tempo. .

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty village politics. The petitioner was neither



apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. The petitioner is neither owner nor driver of the alleged seized Tempo. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

4. Learned counsel for the petitioner further submits that the co-accused Sonu Kumar has been granted regular bail by this Court vide order dated 08.05.2025 passed in Cr. Misc. No. 30026 of 2025.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the prayer for bail being based on parity, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ara Town P.S. Case No. 223 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

rishi/-

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

