

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85330 of 2024

Arising Out of PS. Case No.-702 Year-2024 Thana- FATEHPUR District- Gaya

Neeru Kumar Son of Kedar Yadav R/O-Village -Bagai, PS- Fatehpur, District-
Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The case of the prosecution is that in Phulganj Forest behind the ‘Mahua’ tree something was kept in a plastic gunny bag and one person was guarding there. On seeing the police, accused persons tried to flee but one of them was arrested. On search from the said plastic gunny bag, altogether 1200 country made ‘mahua’ was recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in



connection with the present case. From perusal of the FIR, it is clear that nothing has been recovered from the possession of the petitioner rather the same has been recovered behind the ‘mahua’ tree in Phulganj forest. Moreover, the petitioner is languishing in judicial custody since 06.11.2024

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has one criminal antecedent of same nature.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fathepur P.S. Case No. 702 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise – IV, Gaya.

(Ashok Kumar Pandey, J)

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