

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87946 of 2024**

Arising Out of PS. Case No.-353 Year-2024 Thana- PALASI District- Araria

Niraj Kumar Mandal Son of Devanand Mandal Resident of Village- Dakaita
Ward No. 13, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Palasi P.S. Case no. 353 of 2024 instituted for the offence under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. The case of the prosecution is that behind the
bedroom of the petitioner from the bushes 28.500 liters of Nepali
country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that the place from where the seizure was made is
an open place. Nothing has been recovered from the possession of
the petitioner. The petitioner is having no criminal antecedent.



5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Palasi P.S. Case No. 353 of 2024, he will be enlarged 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 learned District and Additional Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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