

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2131 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- TANDWA District- Aurangabad

Neeraj Kumar, (Male), aged about 29 years, S/O Suresh Lal R/V- Simra PS-
Simra, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Tandwa P.S Case No. 12 of 2024 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total 103.68 litres of illicit tanaka country made liquor as also 34.56 liters of illicit country made liquor from a Tempo of the petitioner bearing registration no.BR-26H-2810 was recovered.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner has got clean antecedent as stated in



para-3 of the petition and nothing has been recovered form the conscious possession of the petitioner.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may affect the investigation of this case and also submits that the liquor was recovered from a tempo of the petitioner.

6. From perusal of the F.I.R., seizure list and impugned order dated 05.12.2024 it appears that the seized liquor was recovered from a tempo of the petitioner and the present petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, so I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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