

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88574 of 2025

Arising Out of PS. Case No.-96 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Neeraj Kumar Singh @ Niraj Kumar Singh S/O Om Prakash Singh R/O
Village - Paharpur Chhangur, P.S- Kuchaikote, District - Gopalganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Ms.Meena Singh,APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard Mr. Lokesh Kumar Singh, learned counsel
for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Excise Case No. 96 of 2018 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2016 lodged on 05.05.2018 by the informant.

3. There has been recovery of altogether 216 litres of illicit liquor from Bolero vehicle bearing registration no. BR06P-3015.

4. Learned counsel for the petitioner submits that the recovery of the illicit liquor is said to have been made from Bolero vehicle bearing registration no. BR06P-3015 which does not belong to him as he had already sold it out in the year 2008 itself. Learned counsel for the petitioner, by taking this Court to



paragraphs 9 and 12 of this petition submits that on the date of seizure the vehicle in question from where the recovery is said to have been shown of which, Ritesh Prasad became the owner from 2008 and since then, the vehicle is not in possession of this petitioner. It has further been submitted that the installments for the said vehicle which was taken on loan was later on paid by the Ritesh Prasad himself and as such, the petitioner has got no connection with the vehicle in question and as also with the seizure which is said to have been made. Petitioner is innocent and has got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has not been made from the constructive possession of the petitioner rather it was said to have been made from the Bolero vehicle bearing registration no. BR06P-3015 which does not belong to the petitioner as he had already sold it out in the year 2008 itself and the petitioner has got clean antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of



Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum- Exclusive Special Judge Excise Court-II, Gopalganj in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their/his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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