

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56093 of 2017

Arising Out of PS. Case No.-303 Year-2017 Thana- DALSINGHSARAI District- Samastipur

Nitish Kumar @ Munna Son of Satya Narayan Patel, R/o Village-
Baikunthpur, Brahanda, P.S.- Ujiarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. PRADEEP NARAIN KUMAR

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in a case registered for
offences punishable under Sections 30(a), 38 and 41 of the
Bihar Prohibition and excise (Amendment) Act, 2016.

Allegedly, about 52 litres of foreign liquor was
recovered from the Alto vehicle which was being boarded by the
petitioner and others. Seeing the police party, they tried to
escape but they were apprehended. It appears that on earlier
occasion, petitioner was apprehended in connection with
Dalsingsarai P.S. Case No.97 of 2017 registered under Sections
30(a), 38(i), 39(a) and 41(1) of the Bihar Prohibition and excise
(Amendment) Act, 2016. However, in that case, petitioner was



granted bail vide order dated 13.07.2017 passed in Criminal Miscellaneous No.31716 of 2017. It appears from the aforesaid order that the bail was granted with a condition that if the petitioner after his release in that case, is again found to be involved in a matter of similar nature, the court concerned would be at liberty to take step for cancellation of his bail bond. However, it appears that after his release, the petitioner has been again found involved in similar type of activity.

Therefore, in my opinion, in view of the aforesaid order and in the facts and circumstances of this case, petitioner does not deserve bail at this stage.

Accordingly, bail application is rejected. However, the petitioner would be at liberty to renew his prayer for bail after six months.

(Dr. Ravi Ranjan, J)

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