

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46656 of 2018

Arising Out of PS. Case No.-248 Year-2018 Thana- BAKHTIYARPUR District- Patna

Nitish Kumar Son of Luthi Rai, resident of Village- Jafrabad, Police Station-
Raghopur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra

For the Opposite Party/s : Mr. Braj Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 28-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case no. 248 of 2018 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

16.500 lts. of foreign liquor is said to have been
recovered from motorcycle and petitioner sitting on the said
motorcycle was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the motorcycle in question. He



was travelling on the said motorcycle as pillion rider by taking lift from its driver, who managed to escape leaving the aforesaid liquor laden motorcycle seeing the police personnel and petitioner has falsely been implicated in this case. He has no criminal antecedent. He has been languishing in custody since 13.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Bakhtiyarpur P.S. Case no. 248 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

