

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2390 of 2018

Arising Out of PS.Case No. -339 Year- 2017 Thana -MASAURHI District- PATNA

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Nitish Kumar, son of Late Naresh Yadav, resident of Village- Badroi, P.S.
Mashaurhi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rudra Deo, Advocate.

For the Opposite Party/s : Smt. Renuka Ratnakar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special Case No. 5414
of 2017 arising out of Masaurhi P.S. Case No. 339 of 2017
registered under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

175 litres of country made liquor is said to have
been kept digging on the bank of the river which was destroyed
during the course of excavating while 25 litres of the country
made liquor was recovered from the bush kept by some unknown
miscreants.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. He is neither concerned with the seized article nor with the place of occurrence. He was not apprehended on the spot. He has been languishing in custody since 30.10.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Special Case No. 5414 of 2017 arising out of Masaurhi P.S. Case No. 339 of 2017.

(Prakash Chandra Jaiswal, J)

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