

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31982 of 2019**

Arising Out of PS. Case No.-59 Year-2019 Thana- JANTA BAZAR District- Saran

NITISH KUMAR, S/o Umesh Prasad R/o Village- Shiv Tola, Dandashpur,
P.S.- Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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

ORAL ORDER

3 18-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 272 and 273/34 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

87 litres of foreign liquor is said to have been recovered from the VIP HD Mixing Lab and one accused namely Manish Kuamr was apprehended while others managed to escape. As per the disclosure of the said Manish Kumar, his brother Nitish Kumar (petitioner) had brought the aforesaid liquor there and managed to escape seeing the police party.

It is submitted by learned counsel for the



petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or place of recovery or any trade of liquor. He has been falsely implicated in the case by the apprehended accused due to some grudge. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Addl. Sessions Judge cum Special Judge, Saran in connection with Janta Bazar P.S. Case No. 59 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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