

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64505 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- HARNAUT District- Nalanda

Nishu Kumar @ Lakshy Kumar, Son of Arun Kumar, Resident of Village-
Meghaul, P.S.- Pandaul, District- Madhubani, at present, Electricity Office
Colony, Harnaut, C/o Dinesh Kumar, P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore(APP100)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Harnaut P.S. Case No. 302 of 2019, registered under
Section 30(a) of the Bihar Excise Act, 2016.

The accusation is of recovery of 15 bottles each
containing 375 ml Indian made foreign liquor from the bag and
one motorcycle was also seized near the bag. On seeing the
police party, two persons, who were boarding on motorcycle,
succeeded to flee away. The persons, who were present there,
disclosed the name of Kundan Kumar and Nishu Kumar
(petitioner), who succeeded to flee away leaving motorcycle and
bag.



Learned counsel for the petitioner submits that petitioner was not apprehended at the spot nor petitioner is the owner of the seized motorcycle. Further submission is that petitioner 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 six 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 the learned Additional Sessions Judge-III, Nalanda at Biharsharif, in connection with Harnaut P.S. Case No. 302 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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