

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2933 of 2020**

Arising Out of PS. Case No.-523 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Nitish Kumar S/o Rajesh Singh, R/o- Village- Jalalpur, P.S.- Kuchaikot,
District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Gopalganj Town/Gopalganj P.S. Case No. 523 of 2019 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 30(a), 41(I) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 15.10.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no recovery of illicit liquor from the possession of the petitioner and that his name has come as a liner in this case and further submission that the petitioner has no criminal antecedent and he is in custody since 15.10.2019, let the petitioner above named be released on bail in connection with Gopalganj Town/Gopalganj P.S. Case No. 523 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Gopalganj, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer or
tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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