

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19397 of 2020

Arising Out of PS. Case No.-49 Year-2020 Thana- ARARIA District- Araria

NILESH KUMAR Son of Banshlal Yadav Resident of Village - Baluahi,
Ward No. 26, P.S.- Khagaria, Distt – Khagaria Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr. D. P. Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-06-2020 Learned Counsel for the petitioner is directed to

remove all the defects, as pointed out by the Stamp Reporter,

within a period of eight weeks from today.

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with

Araria (Bairgachhi) Police Station Case No. 49 of 2020,

registered for the offences punishable under Sections 30 (a)/38

of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that 29.30 litres

of illicit liquor has been recovered from one Safari vehicle.

Learned Counsel for the petitioner submits that the

petitioner has falsely been implicated in this case and nothing

has been recovered from the conscious possession or the vehicle

belonging to the petitioner and statement has been made in



paragraph 7 that the Safari vehicle does not belong to the petitioner. He further submits that there are five criminal cases pending against the petitioner and the petitioner is on bail in all the five cases. He further submits that the petitioner is in judicial custody since 16.01.2020.

After having heard learned Counsel for the parties and taking into consideration the facts that the petitioner is not the owner of the vehicle in question and the petitioner is in judicial custody since 16.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Araria, in connection with Araria (Bairgachhi) Police Station Case No. 49 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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