

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23094 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- BALIYA District- Begusarai

NITISH KUMAR Son of Bisho Prasad Yadav Resident of Village - Manari
gachi Lakhminia, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2020 Heard Mr. Sandip Kumar Gautam, learned counsel for
the petitioner and Mr. Abhay Kumar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Ballia
P.S. Case No.93 of 2020 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code, Sections 30
and 32 of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police on secret information
intercepted tricycle (*Thela*) and recovered a total quantity of
67.50 litres of illicit foreign liquor and arrested the petitioner.
The other co-accused succeeded in fleeing away.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as



tricycle (*Thela*) does not belong to the petitioner. Learned counsel further submits that the petitioner has got no criminal antecedent and he is in custody since 14.04.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that the petitioner is in custody since 14.04.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II Begusarai cum Special Judge, Bihar Prohibition and Excise Act, 2016, in connection with Ballia P.S. Case No.93 of 2020.

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

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

