

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72052 of 2019

Arising Out of PS. Case No.-451 Year-2018 Thana- SUPAUL District- Supaul

NITISH KUMAR Son of Subhash Yadav @ Subhash Kumar Yadav Resident
of Ganesh Sthan, P.S.-Madhepura, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with S.T. Excise Case No. 567 of 2018 arising out of Supaul
P.S. Case No. 451 of 2018 for the offence punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. Nothing has
been recovered from the conscious possession of the
petitioner and the petitioner has no concern with the alleged
recovery. Moreover, the petitioner is neither the driver nor
owner of the vehicle in question which is evident from



paragraph-2 of the supplementary affidavit filed by the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of his arrest or surrender before the court below within a period of four weeks be released on bail 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 District & Sessions Judge-II -cum- Special Judge, Excise, Supaul in connection with S.T. Excise Case No.567 of 2018 arising out of Supaul P.S. Case No. 451 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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