

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.178 of 2020

Arising Out of PS. Case No.-337 Year-2019 Thana- SAUR BAZAR District- Saharsa

NITISH KUMAR @ NITISH PODDAR Son of Lal Poddar @ Lale Poddar
Resident of Village - Baidyanathpur, Patel Chawk, P.S.- Sour Bazar, District -
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2020

Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Sour Bazar (Baijnathpur Sivr) P.S.Case No.337 of 2019 dated
20.8.2019, registered for offences punishable under Sections
272 & 273/34 of the Indian Penal Code and Section 30(A) of
the Bihar Excise (Prohibition) Act, 2016.

As per the prosecution case, there was recovery of liquor
from the co-accused persons and so far this petitioner is
concerned, there is allegation that the petitioner was their
associate.

Submission of the learned counsel for the petitioner is
that the allegation is vague and no case is made out under the
Bihar Prohibition and Excise Act. So far this petitioner is



concerned, he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge II cum Special Judge (Excise) Saharsa in connection with Saur Bazar (Baijnathpur) P.S.Case No.337 of 2019 dated 20.8.2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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