

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87330 of 2019

Arising Out of PS. Case No.-198 Year-2019 Thana- SIKTI District- Araria

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NIRAJ KUMAR BISHWAS S/o Suresh Dev Bishwas @ Surendra Bishwas,
Resident of Village- Hasanpur, Ward No.10, P.S.- Palasi, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Sikty P.S. Case No. 198 of 2019, corresponding to Spl. Case No.
1639 of 2019 for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 35.100 liters
of Resham-Lichi Nepali liquor from a motorcycle and the
petitioner was apprehended from the spot.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. It is
further submitted that the petitioner is having a clean antecedent
and is languishing in custody since 05.12.2019. The learned
counsel for the petitioner, by referring to paragraph-8 of the



present petition has submitted that the seized motorcycle does not belong to the petitioner, hence the petitioner has been falsely roped in the present case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and the motorcycle from which illicit liquor has been recovered, does not belong to the petitioner, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned II Additional Sessions Judge cum Special Judge, Araria in connection with Sikti P.S. Case No. 198 of 2019, Spl. Case No. 1639 of 2019.

(Mohit Kumar Shah, J)

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