

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33017 of 2020**

Arising Out of PS. Case No.-37 Year-2020 Thana- SURYAGARHA District- Lakhisarai

NITESH KUMAR Son of Sri Lalan Singh Resident of Village- Jaitpur, P.S.-  
Barhaiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pravin Kumar, Advocate  
For the Opposite Party/s : Mr.J.K.Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      20-01-2021                      Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all the defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner, who is in custody since 27.02.2020 has renewed his prayer for bail in connection with Suryagarha P.S. Case No.37 of 2020, having earlier been rejected by order dated 22.07.2020 in Cr. Misc. No. 21527 of 2020 for the alleged offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise(Amendment) Act, 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of different quantities of foreign liquor from a truck, pick-up van and Scorpio, in all totalling 2237 litres. It is further stated that the said recovery of 1296 litres from the boring of Pawan Kumar has been made on the confessional statement of co-accused Haro Kumar and Himanshu Kumar, and not of the petitioner, who has been implicated on mere suspicion. The petitioner claims clean antecedents.



4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 27.02.2020, let the petitioner above named be released on bail upon his completing one year in custody on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional district and Sessions Judge 2nd-cum-Special Judge, Excise, Lakhisarai in connection with Suryagarha P.S. Case No. 37 of 2020, if he is not otherwise required in any other case.

5. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Vikash Jain, J)**

HR/-

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