

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48251 of 2021**

Arising Out of PS. Case No.-167 Year-2021 Thana- BASOPATTI District- Madhubani

Vijay Kumar Nayak S/O Jagdish Nayak R/O Gandhi Chauk, P.S.-TOWN,
District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-11-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Basopatti P.S. Case No. 167 of 2021, registered for the offence punishable punishable under Section 272, 273 of the Indian Penal Code and section 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

171 litres of Nepali Saufi liquor has been recovered from one Honda City Car and petitioner and co-accused who were occupants of the Car were apprehended by the police.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner is neither owner nor driver of car in question and he was simply a co-passenger. Petitioner is in custody since 29.06.2021 having no criminal antecedent, as stated in para 3 of the petition.



Investigation is complete.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Basopatti P.S. Case No. 167 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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