

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48540 of 2021**

Arising Out of PS. Case No.-66 Year-2021 Thana- SURYAGARHA District- Lakhisarai

NIRAJ KUMAR Son of Dinesh Singh R/o- Ganga Sarai, Purvari Tola, Ward  
No.- 2, P.S.- Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Onkar Nath

For the Opposite Party/s : Mr.Nityanand

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

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

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 112.5 liter of foreign liquor has been recovered out of which 45 liter has been recovered from a vehicle and 67.5 liter has been recovered from a field.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is neither driver nor owner of the vehicle in question. Petitioner is in custody



since 21.03.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Lakhisarai in connection with Surygraha PS case No.66/2021.

**(Prabhat Kumar Singh, J)**

BKS/-

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