

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1532 of 2021

Arising Out of PS. Case No.-166 Year-2020 Thana- NAUTAN District- Siwan

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Nitesh Kushwaha@Nitesh Kumar, aged about 25 years, Male, Son of
Brijkishore Prasad, resident of Vill-Semraw, P.S.-Mirganj, Dist-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the State : Mr.Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-03-2021 Learned counsel for the petitioner is permitted to
remove the defects within four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 166 of 2020 registered for the offence punishable
under Section 307 of the Indian Penal Code, Section 30(a) of the
Bihar Prohibition and Excise Act, 2016 and Sections 3(2) (v)(a)
S.C./S.T. Act.

Learned counsel for the petitioner submits that there is
no recovery from the conscious possession of the petitioner
rather 54.800 liters of foreign liquor has been recovered from
the motorcycle of the petitioner. Learned counsel for the
petitioner further submits that the petitioner is innocent and has



committed no offence. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 12.10.2020 and petitioner has got no any criminal antecedent.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.D.J II-cum-Special Judge. Excise, Siwan in connection with Nautan P.S. Case No. 166 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000/- (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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