

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5342 of 2021**

Arising Out of PS. Case No.-212 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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Nitish Kumar Son of Chunchun Tanti @ Chunnu Tanti Resident Of Village
And Police Station- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 26-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Sahebpur Kamal P.S.
Case no. 212 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 40.125 litres of illicit
liquor was recovered from the vehicle. The driver of the vehicle
was caught and the name of the petitioner transpired in his
confessional statement as one of the accused who had managed
to flee away.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the spot nor has he any



concern with the seized article or the vehicle in question. He is in custody since 5.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 5.11.2020 and not having any criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sahebpur Kamal P.S. Case no. 212 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Begusarai.

(Partha Sarthy, J)

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