

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6875 of 2021

Arising Out of PS. Case No.-327 Year-2020 Thana- MINAPUR District- Muzaffarpur

NITESH KUMAR son of Birendra Singh Resident of Village- Ramtomhan,
P.S. Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Alok Kumar Alok, learned Advocate
for the petitioner and Mr. Nand Kishore Prasad, learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Minapur P.S. Case No. 327 of 2020 dated 27.08.2020 instituted for the offences under Sections 272, 273 and 414/34 of the Indian Penal Code and Sections 30(A), 41 of the Bihar Prohibition & Excise Act.

53 litres of liquor is said to have been recovered from a vehicle. Three persons who have been arrested have disclosed the name of the petitioner as the person who was instrumental in bringing the liquor in town.

Learned counsel for the petitioner has



submitted that his implication thus is only on the basis of confession of an arrested accused person.

The petitioner has clean antecedents.

On these grounds, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioner.

For the reasons aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Minapur P.S. Case No. 327 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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