

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10103 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- ROH District- Nawada

Nitish Kumar Son of Sujendra Mahto @ Udal Mahto @ Sujindra Prasad
Resident of Village - Pipra, P.s.- Govindpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mrs.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Roh P.S. Case No. 158 of 2021, registered for the offence punishable punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

36 litres of country made Mahua liquor has been recovered from the house of co-accused Bhagi Manjhi.

It is submitted that no recovery has been made from conscious possession of this petitioner. Name of petitioner transpired on the basis of confessional statement of co-accused Bhagi Manjhi. Petitioner has got no concern with the seized liquor. Petitioner is in custody since 09.01.2022. Investigation is complete.

Learned APP however vehemently opposed the prayer



for bail and submitted that petitioner has got criminal antecedent of similar nature.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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