

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18481 of 2022

Arising Out of PS. Case No.-730 Year-2021 Thana- KANKARBAG District- Patna

NITISH KUMAR S/O UPENDRA R/o village- Mirzapur Nohata, P.S.-
Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 30 liters of country made liquor has been recovered from a motor cycle of which petitioner is registered owner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that the aforesaid motor cycle has been stolen and to this effect Fatuha PS case No. 562/ 2021 has already been registered on 01.08.2021 (Annexure-2) whereas liquor has been recovered on 07.08.2021. Petitioner has got clean antecedent.



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

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Kankarbagh PS case No. 730/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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