

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41194 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- BIKRAM District- Patna

NIKHIL KUMAR Son of Banshropan Singh Resident of Village- Lahladpur,
P.S.- Rani Talab, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-03-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30(a) and other allied sections of the Bihar Prohibition and Excise Act and section 420 and other allied sections of the IPC.

As per the prosecution case, 927 liters of foreign liquor was recovered from the vehicle in which petitioner and other accused persons were travelling.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery as he was merely a passenger and was not aware of the nature of consignment being



transported through the vehicle in question. Petitioner is in custody since 27.3.2021. Investigation is complete.

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

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act Patna in Bikram Police Station Case No. 61 of 2021/ Special Case No. 2478 of 2021.

(Prabhat Kumar Singh, J)

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