

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50399 of 2021**

Arising Out of PS. Case No.-181 Year-2021 Thana- BAISI District- Purnia

NITISH KUMAR SHARMA S/O NARENDRA SHARMA Resident of Ward  
No 03, Village- Abhuar, P.S.- Kishanpur, Distt.- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Goutam, Advocate  
For the Opposite Party/s : Mr. Abhay Kumar, APP

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

2      23-02-2022                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272 and 273 of the Indian Penal Code and sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 188.28 litres of liquor was recovered from the vehicle of which the petitioner was the driver.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession or from his vehicle. He is in custody since 25.6.2021. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner has two criminal



antecedents under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner having antecedents under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

**(Partha Sarthy, J)**

Spd/-

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