

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69544 of 2021

Arising Out of PS. Case No.-226 Year-2021 Thana- BIDUPUR District- Vaishali

NITESH KUMAR Son of Birchandra Rai Resident of Village - Khajwatta,
P.S.,- Biddupur, Distt.- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra
For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a), 41(1) of Bihar Prohibition and Excise Act.

4256.28 liters of foreign liquor has been recovered from a barren land near Dewa Chowk, situated outside the village, and this petitioner is alleged to have brought the aforesaid consignment alongwith one co-accused Nirbhay Kumar.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Recovery has been made from an open place, which is accessible to general people, but only on suspicion, petitioner has been made accused in this case. Petitioner has got clean



antecedent.

Considering the fact that no recovery has been made from the possession of this petitioner and petitioner has got clean antecedent, let the above named petitioner, in the event of his arrest or surrender within a period of six weeks from the date of receipt / production of copy of this order, 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 learned Additional Sessions Judge II cum Special Judge, Excise, Vaishali at Hajipur in connection with Biddupur P.S. Case No. 226 of 2021, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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