

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58234 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- MAIN P.S. District- Gaya

1. Bittu Kumar @ Alok Kumar Son of Late Suresh Lal @ Late Jai Prakash Kumar Resident of Village- Koriywana, P.S.- Main District- Gaya
2. Nilesh @ Nilesh Kumar Son of Tapeswar Sharma Resident of Village- Neembigha, P.S.- Main District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-12-2022 Heard learned counsel for the petitioners and learned
A.P.P for the State through video conferencing.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Total 178.875 litres of foreign liquor has been recovered from a car.

It is submitted that nothing has been recovered from conscious possession of these petitioners. Petitioners are neither driver nor owner of vehicle in question.

Counsel for State vehemently opposed the prayer for bail and submitted that Bittu Kumar @ Alok Kumar petitioner



no. 1 is having one criminal antecedent of similar nature.

So far as the case of petitioner no. 1 is concerned, he is having one criminal antecedent of similar nature, therefore, I am not inclined to enlarge him on anticipatory bail. Accordingly the same is rejected.

Considering the facts aforesaid, Nilesh @ Nilesh Kumar Petitioner no. 2, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Excise Court No. 2, Gaya in connection with Main P.S. Case No. 84 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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