

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7226 of 2023

Arising Out of PS. Case No.-614 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Nitish Kumar S/O Lakhan Pandit R/V- Kabaiya Road, P.S. And District-
Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Lakhisarai Excise P.S. Case No. 614(C2) of 2022 registered for the offence punishable under Section 37(i) of Bihar Prohibition and Excise Act 2022.

As per the prosecution, the informant alleged that this petitioner was apprehended in a drunken state after the breath analyzer test.



The main submissions advanced by learned counsel Mr. Rajnish Chandra, appearing for the petitioner are that as per the allegation made by the prosecution the petitioner was simply found in a drunken state and against him there is only one criminal antecedent in which he is on bail and he has been languishing in jail since 10.12.2022 in the present matter and when he was arrested, no any type of liquor was recovered from his possession.

Learned APP Mr. Braj Kishore Pd., appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-above 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 concerned Court in connection with Lakhisarai Excise P.S. Case No. 614(C2) of 2022.

(Shailendra Singh, J.)

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