

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19618 of 2023

Arising Out of PS. Case No.-409 Year-2022 Thana- MANIYARI District- Muzaffarpur

NIKESH KUMAR S/O LATE JAGAN RAI @ JAGAN NATH RAI Resident
of Village- Barmatpur Khabra, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks regular bail in connection with Maniyari P.S. Case No. 409 of 2022, registered for the offence punishable under Sections 272, 273, 420, 468, 471, 120(B) of the Indian Penal Code and Sections 30(a), 32(2)(3), 41(1)(2) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case on the basis of confessional statement of arrested person. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is neither owner of the seized truck nor he has any concern with the other accused persons. Petitioner is not arrested from the spot. Petitioner is in custody since 12.01.2023.



Learned APP has vehemently opposed the prayer for bail.

Considering the nature of allegation levelled against the petitioner, his period of custody, this application is allowed.

Let the petitioner, above named, be released on bail after completion of one year of custody or after framing of charge, whichever is earlier, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Judge (Excise), Court No-2, Muzaffarpur in connection with Maniyari P.S. Case No. 409/2022.

(Sandeep Kumar, J)

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