

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16903 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- NAUTAN District- West Champaran

Nandu Baitha, Son of Buchan Baitha, R/O Village- Fuliya Khar, P.S.- Bairiya,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Nautan P.S. Case No. 22 of 2023 dated 15.01.2023 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 72 litres of Indian made foreign liquor and the same
is stated to have been recovered from three bags and petitioner
is stated to have been arrested at the spot of recovery and as per
prosecution two co-accused persons managed to escape but in
actual the petitioner was apprehended on suspicion and he has
fair and clean antecedent and against him the investigation has



been completed and he has been languishing in jail since 16.01.2023. Further submission is that the alleged seized wine was not recovered from the conscious possession of this petitioner.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and against him the investigation has been completed, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Nautan P.S. Case No. 22 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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