

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17215 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Nikhil Kumar Jha, Son of Mangani Ram Jha, Resident Of Village- Dakhram
P.O.- Bahera, Ward No. 10 P.S.- Bahera, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Prakash, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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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
Samastipur Rail P.S. Case No. 25 of 2023 dated 29.01.2023
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 56.250 litres of foreign liquor and the same is stated
to have been recovered from a coach of a passenger train but
the petitioner was apprehended on suspicion and he is a young
person having fair and clean antecedent and has been
languishing in jail since 29.01.2023 and against him the



investigation has been completed. Further submissions are that at the time of recovery of the alleged wine, the petitioner was coming from 'Howrah' and going to his native place 'Darbhanga' as he works in Kolkata and he did graduation in B. Com. Hons. and against him the investigation has been completed.

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

5. Considering the above submissions and mainly petitioner's fair and clean antecedent, his custody period and the completion of investigation against him, 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 Samastipur Rail P.S. Case No. 25 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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