

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23521 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Nitish Kumar Son of Late Mohan Chauhan Resident of Village - Gobindpur,
P.S.- Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 12-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Special
Case No. 2021 of 2023 arising out of Excise (Prohibition) Patna
P.S. Case No. 306 of 2023 dated 23.02.2023 registered for the
offences punishable under Sections 30(a) and 56(b) of Bihar
Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
150 litres of illicit country-made wine and the same is alleged to
have been recovered from petitioner's *scooty* but infact, at the
time of alleged recovery an altercation took place between this
petitioner and police officials and thereafter the alleged wine
was planted in the petitioner's vehicle to harass this petitioner

and two police officials have been shown as witnesses of the seizure and accordingly there is no independent witness of the alleged recovery and moreover, the petitioner has fair and clean antecedent and he has been languishing in jail since 24.02.2023 and against him the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. 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 concerned Court in connection with Excise (Prohibition) Patna P.S. Case No. 306 of 2023.

(Shailendra Singh, J)

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