

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43495 of 2023

Arising Out of PS. Case No.-430 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

=====

Nitish Kumar S/O Late Harendra Sharma R/O Village- Banaura, Ps.
Baikunthpur, Dist. Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr. Sanjay Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Excise P.S. Case No. 430 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 170.800 liters of illicit liquor from a car which was being driven by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing incriminating article has been recovered from the



conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.04.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Excise P.S. Case No. 430 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise II, Siwan.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

