

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41599 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- PRANPUR District- Katihar

Nitesh Kumar, Son Of Umesh Poddar Village- Ward No-24, Bagha Bagha
Babghi Suhird Nargar Ps- Nagar Dist- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 206.730 litres of liquor from an Alto car.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated, being owner of the seized vehicle. The learned
counsel for the petitioner next submits that no prudent person
would use his own vehicle for committing a crime and thus,



would create evidence against himself and hence, would get implicated. It is next submitted that petitioner was completely unaware that Sachin Poddar would misuse the vehicle in the manner as alleged as he was also apprehended from the spot.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-cum-Exclusive Special Excise Judge-IIInd, Katihar in connection with Paranpur P. S. Case No.15 of 2023 (G.R. No.422 of 2023), subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

