

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44083 of 2023**

Arising Out of PS. Case No.-369 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

Nitish Kumar, S/O Suresh Ram, R/O Village- Dewariya Kala, Ps. Phesar,
Dist. Aurangabad (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Advocate
For the Opposite Party/s : Mrs. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Aurangabad Excise P.S.
Case No. 369 of 2023 dated 01.05.2023 registered for the
offences punishable u/s 30(a) of the Bihar Prohibition and
Excise Act.

4. As per the prosecution case, the petitioner and the
co-accused person were apprehended with Scorpio vehicle from
which 628.2 litres of illicit foreign liquor was recovered.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad, District-Aurangabad in connection with Aurangabad (Excise) P.S. Case No. 369 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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