

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58877 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Nitish Kumar Sah (aged about 20 years, Male), Son of Kamleshwri Sah,
Resident of Village- Baraini, P.S- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Niranjan Parihar, Advocate
For the State	:	Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Excise (Kahalgaon) P.S. Case No. 75 of 2023 dated 24.05.2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, there is total recovery of 10 litres local made liquor from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The motorcycle does not belong to the petitioner and he was not also riding or driving the motorcycle. The petitioner has no criminal antecedent and has been falsely implicated in



this case due to village politics.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. IXth, Bhagalpur in Excise (Kahalgaon) P.S. Case No. 75 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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