

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61844 of 2023

Arising Out of PS. Case No.-453 Year-2023 Thana- KAUWAKOL District- Nawada

Nitish Kumar S/O Sunil Mahto R/O Village- Atari, Ps. Dhamaul Op., Dist. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41(b) of Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 1000 liter illegal country made liquor from a vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner was apprehended on the spot nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his



conscious possession. Moreover, the petitioner is languishing in judicial custody since 21.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kawakole P.S. Case No. 453 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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