

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66017 of 2023**

Arising Out of PS. Case No.-257 Year-2023 Thana- JAYNAGAR District- Madhubani

Nikhil Kumar, S/o Sri Ram Sahni @ Shri Ram Sah @ Sri Ram Sah, R/o  
Mohalla- Light House Belwaganj, P.S- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jainagar P.S. Case no. 257 of 2023 registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the accused persons seeing the police party made an attempt to escape. While one of the accused was able to escape, the petitioner and one another were arrested and 63 litres of liquor was recovered from the bags. A total of 252 litres of liquor was recovered.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He



is in custody since 16.6.2023 and charge-sheet has been submitted in the case. He has no antecedent under the Bihar Prohibition and Excise Act, 2016.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR against this petitioner, the petitioner having remained in custody since 16.6.2023, charge-sheet having been submitted in the case and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Jainagar P.S. Case no. 257 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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani.

**(Partha Sarthy, J)**

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