

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78915 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- NIRMALI District- Supaul

NITISH KUMAR THAKUR Son of Baijnath Thakur @ Jagranath Thakur
R/O VILLAGE PIPRAHI P.S. LAUKAHI DISTRICT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per FIR, prosecution case relates to recovery of 756 liters Neapli Liquor from a vehicle and driver of the vehicle was apprehended on the spot and upon his confession name of the petitioner surfaced in this case.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the confession of co-accused. The



petitioner has no concern with the alleged recovery and he was also not apprehended from the place of recovery. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nirmali P.S. Case No. 64 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 Special Exclusive Judge Excise Court-II, Supaul District Supaul.

(Sunil Kumar Panwar, J)

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