

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82267 of 2023**

Arising Out of PS. Case No.-276 Year-2023 Thana- DHORAIYA District- Banka

Nitish Kumar Yadav Son Of Raj Kumar Yadav Resident Of Village-  
Sadanandpur, Police Station- Baliya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      20-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Dhoraiya P.S. Case No. 276 of 2023 registered under sections 30(a), 32(ii) and 41(i) of the Bihar Prohibition and Excise Act and Sections 420, 467 and 468 of IPC.

Prosecution case relates to recovery of 952.2 liters of country made liquor from a pickup van and the petitioner was arrested by the police on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the



seized illicit liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. There is no independent witness of the seizure list rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 28.09.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dhoraiya P.S. Case No. 276 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 District and Sessions Judge-II, Banka.

The bail bonds of the petitioner shall be accepted by



the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

Shubham/-

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