

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10067 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- NAUTAN District- West Champaran

NITESH KUMAR @ NITISH KUMAR @ NITESH RAY S/O- MAHESH
RAY R/O- VILLAGE- BATHANA, P.S.- MEHSI, DIST.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nautan
P.S. Case No. 413 of 2023 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that a total of 353.
520 liters liquor was recovered from a Bolero Vehicle of which
the petitioner is the driver.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He is
in custody since 29.09.2023. Petitioner is the driver and has no
concern with the alleged recovery. Charge-sheet has been
submitted in this case. Petitioner is on bail in the cases



mentioned in Paragraph No. 3 of the bail application. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nautan P.S. Case no. 413 of 2023.

(Rudra Prakash Mishra, J)

Prakash/-

U			
---	--	--	--

