

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24918 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- NAWADA District- Nawada

Nitish Kumar @ Doma S/o- Late Barho Chaudhary Village- Kadirganj
Choudhary Tola Ps- Nawada Town Kadirganj OP Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Nawada Town P.S. Case No. 248 of 2024 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per allegation in the FIR, it is a case of recovery
of total 51.375 liters of foreign liquor from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that the petitioner is not
arrested on spot and there is no independent witness of the
seizure list. Petitioner is in custody since 25.02.2024.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court – I in connection with Nawada Town P.S. Case No. 248 of 2024.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that if the charge-sheet has not been submitted then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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