

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28345 of 2024

Arising Out of PS. Case No.-272 Year-2023 Thana- SAHPUR District- Bhojpur

Nitiesh Yadav @ Raitar @ Neetesh Yadav S/o Kewara Pahalwan @ Kewada
Pahalwan @ Kawada Yadav R/o vill - Lachhu Tola, P.S. - Dhobaha, Distt. -
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sahpur P.S. Case No. 272 of 2023, lodged on 18.06.2023 under
Sections 30(a) of the Bihar Prohibition and Excise Act 2018
read with sections 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, total 70.2 litres of
illicit liquor has been recovered which is the subject matter of
the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner has not been apprehended from
the place of occurrence, rather his name has been figured in this



case by virtue of confessional statement of co-accused namely Rahul Ray from whose possession, illicit liquor and arms have been recovered. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 07.02.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.-II, Bhojpur at Ara in connection with Sahpur P.S. Case No. 272 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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