

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27994 of 2024**

Arising Out of PS. Case No.-153 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Nitish Kumar Son of Prakash Chaudhary Resident of Mohalla- Girihinda, P.S.  
Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sheo Nandan Prasad

For the Opposite Party/s : Mr.Parmanand Prasad

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

ORAL ORDER

2      10-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Shekhpora P.S. Case No. 153 of 2024 instituted for the offences  
punishable under Sections 30(a), 32 and 41 of the Bihar  
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 44.625  
liters of illegal foreign liquor was recovered from a *Tempo*.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No  
incriminating article has been recovered from the conscious  
possession of the petitioner. Learned counsel further submitted  
that petitioner is neither the owner nor the driver of the seized



vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 12.03.2024 and he has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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 Sheikhpura P.S. Case No. 153 of 2024.

(Rudra Prakash Mishra, J)

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