

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36741 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- GALGALIYA District- Kishanganj

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Nishant Kumar Son of Jitendra Kumar Resident of Vilage-
Mohanpur, Govindpur (ward no.6), P.S. - Mansurchak, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Galgalia P.S. Case No. 20 of 2024 instituted for the offence
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The prosecution case in short is that 1377 liters
liquor was recovered from a truck bearing Registration No.
HR55AG8791.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-03-2024. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner is neither owner nor the driver of the truck in question. The petitioner has got no concern with the alleged recovery of liquor. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 30-04-2024, passed in Cr. Misc. No. 32346 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Galgalia P.S. Case No. 20 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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