

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38304 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- Excise P.S. District- Madhubani

Nitish Kumar Son Of Sajan Yadav @ Sanjit Kr. Yadav Resident Of Village -
Kamlabari, P.S. - Jainagar, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Sadar Excise Prohibition P.S. Case No.96 of 2024, lodged on
29.03.2024 under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 306 litres
of *Nepali* liquor has been 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
submits that the petitioner is in custody since 29.03.2024 having
no criminal antecedent.

5. Learned counsel for the State opposes the prayer
for bail and submits that he was apprehended from the place of



occurrence, particularly, from the vehicle from which the said liquor was recovered.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Judge-II, Excise Act, Madhubani, in connection with Sadar Excise Prohibition P.S. Case No.96 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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