

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42694 of 2024

Arising Out of PS. Case No.-446 Year-2024 Thana- Excise P.S. District- Lakhisarai

Nitish Kumar Son of Raj Kumar Prasad @ Raj Kumar Mahto R/O Vill.-
Chaudharain Chak, P.S.- Belchhi, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case No. 446 of C2/ 2024 dated 03.05.2024 registered for the offence/s punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 101 litres of illicit beer was recovered near the gate of the bogie of the train.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent



as stated in para 3 of the bail petition. The petitioner is in custody since 03.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Excise P.S. Case No. 446 of C2/ 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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