

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44372 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- KANHHAULI District- Sitamarhi

Nitish Kumar Son Of Indal Das Village- Ward No. 10, Ramnagara, Rasulpur,
P.S.- Sonbarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP.

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

ORAL ORDER

2 26-06-2024 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 Kanhauli P.S. Case No. 44 of 2024 dated 17.03.2024 registered for the offences punishable u/s 414 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, total 1344.96 litres of illicit foreign liquor was recovered from the Scorpio, Scooty and three motorcycles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is neither the owner nor the driver of



the seized vehicles. The petitioner has no concern with the alleged recovery. The petitioner has five other criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2024.

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, the nature of allegation 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, Sitamarhi in connection with Kanhauli P.S. Case No. 44 of 2024 with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

annpurna/-

U		T	
---	--	---	--

