

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43785 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- IMAMGANJ District- Gaya

Nitesh Kumar Son Of Amirak Dabgar @ Amarik Devgar @ Amrika Davgar
Village- Raniganj Gilanpar, P.S.- Imamganj, Distt.-gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv
For the Opposite Party/s : Mr. Sucheta Yadav, 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 Imamganj P.S. Case No. 132 of 2024 dated 08.05.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 120 litres of illicit country made liquor was recovered from the two sacks which was kept on the motorcycle near the *Bhaghar River*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the alleged



recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2024.

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 nature of allegation levelled against the petitioner and 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, Gaya, in connection with Imamganj P.S. Case No. 132 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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