

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46595 of 2024

Arising Out of PS. Case No.-249 Year-2022 Thana- NOORSARAI District- Nalanda

NITISH KUMAR @ NITISH YADAV@NITISH KUMAR YADAV SON OF
LATE KISHORI YADAV VILLAGE- MAL BIGHA, PS- NOORSARAI,
DIST- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2024 Heard Mr. Manoj Kumar learned counsel for the

petitioner and Mr. Umeshanand Pandit, learned APP for the

State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 272 and
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, 4 liter country made liquor
has been recovered from bank of river Panchane.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that noting has been recovered from the
conscious possession of this petitioner and he has been made an
accused in this case merely on suspicion. It is further submitted



that petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that nothing has been recovered from the conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District & Sessions Judge-cum-Special Judge, Excise-II, Nalanda, in connection with Noorsarai P.S. Case No. 249 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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