

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59235 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- CHACKMEHSI District- Samastipur

Nitish Kumar Son of Sonelal Ray R/O Vill.- Namapur Khedhi, P.S.- Chak
Mehsi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 14-08-2024 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 Chakmehsi P.S. Case No. 109 of 2024 dated 11.07.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 280 litres of illicit foreign liquor was recovered from the *roof of the joint house of the Petitioner Nitish Kumar and the co-accused Prabhunath Rai.*

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 rather the recovery has been made from an open roof of the joint house of the petitioner which is accessible to anyone. 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 11.07.2024.

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, Samastipur in connection with Chakmehsi P.S. Case No. 109 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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