

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60019 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- MIRGANJ District- Purnia

Nitish Kumar son of Naresh Yadav Vill -Bela, Rikabganj, PS- K. Nagar
District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Adv

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 21-08-2024 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 Mirganj P.S. Case No. 50 of 2023 dated 26.03.2023 registered for the offences punishable u/s 272, 273 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 121.500 litres of illicit foreign liquor was recovered *from the Car*.

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 named in the F.I.R. The name of the petitioner has transpired merely on the basis of owner of the



said seized vehicle as stated in para 7 of the bail petition. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.07.2024.

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, Purnea, in connection with Mirganj P.S. Case No. 50 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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