

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69382 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- PATLIPUTRA District- Patna

Nitish Kumar Son of Munarik Rai R/o Village- Maudahi, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-09-2024 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 Patliputra P.S. Case No. 308 of 2024 dated 03.08.2024 registered for the offences punishable u/ss 317(5), 338, 336(3), 340(2), 3(5) of Bhartiya Nyaya Sanhita and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 60 litres of illicit country made liquor was recovered from the bag tied with the motorcycle which was driven by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the driver of the seized motorcycle. Nothing has been recovered from the conscious possession of the



petitioner. The petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.08.2024.

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 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, Patna in connection with Patliputra P.S. Case No. 308 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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