

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80337 of 2024

Arising Out of PS. Case No.-272 Year-2024 Thana- Excise P.S. District- Madhubani

Nishant Kumar S/O Pramod Yadav Resident of Village- J.P. Chowk, Laxmi
Sagar, Ward No. 16, P.S. Biswavidyalaya, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Madhubani Sadar Excise P.S. Case No. 272 of 2024
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act. .

3. The prosecution case, in short, is that total 333
litres of Nepali liquor was recovered from Car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no knowledge and concern with the alleged
recovery. Nothing incriminating has been recovered from the
possession of the petitioner. The petitioner is neither the owner



nor the driver of the vehicle in question. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail dated 29.10.2024 in Cr. Misc. No. 77737 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Madhubani Sadar Excise P.S. Case No. 272 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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