

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82868 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- AUANGARI District- Nalanda

Nithish Kumar Son of Shailendra Prasad @ Shailendra Yadav Village
-Kajibigha PS -Islampur District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and Mr.
Sanjay Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Auangari P.S. Case No. 68 of 2024 instituted for the offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that two persons were having something in gunny bag as police intercepted them, they fled away and from the said gunny bag altogether 29 liters of country-made liquor was recovered.

4. From perusal of the FIR, it is clear that as to how this petitioner was identified merely on the basis of secret information, the name of the petitioner has come into light. Learned counsel for the petitioner has submitted that nothing



has been recovered from his possession. Moreover, the petitioner having no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Addl. Sessions Judge-Special Judge, Excise, Nalanda at Biharsharif in connection with Aungari P.S. Case No. 68 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashok Kumar Pandey, J)

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