

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83160 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- Excise P.S. District- Bhagalpur

Nitesh Kumar Son Of Sajjan Mishra Resident Of Village- Khawra, Ward No.
21, Police Station- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail registered
for the offence punishable under section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of 535 litres of
IMFL from a pick-up van and petitioner who was driving the
said vehicle was arrested on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner has no
concern with the alleged recovery or with the vehicle in
question. He was unaware about the consignment loaded on the
pick-up van and on direction of the owner, he was driving the



said pick-up van. Petitioner is languishing in judicial custody since 10.10.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. **10,000/- (Rs. ten thousand)** in the concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, Bhagalpur in connection with Excise (Naugachia) P.S. Case No. 533 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **10,000/- (ten thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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