

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82917 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- BHADAUR District- Patna

Nitish Kumar S/O Ram Prawesh Paswan R/O vill - Benuabasar, P.S - Bhadaur,DIST- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bhadaur P.S. Case no. 104/2024 instituted for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution is that from the dilapidated house of the petitioner altogether 131.625 liters of foreign liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It has been argued by the learned counsel for the petitioner that the house is away from



the village and he does not know who kept the wine in abandoned house. It has further been submitted that nothing has been recovered from his conscious possession.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner stating that the petitioner is having criminal antecedent of one case which is not of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhadaur P.S. Case no. 104 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Barh, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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