

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84348 of 2024

Arising Out of PS. Case No.-336 Year-2024 Thana- BHAGWANPUR District- Begusarai

Nitish Kumar Son of Shankar chaudhary Resident of Village- Ataruwa, P.S.-
Bhagwanpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Bhagwanpur PS Case No. 336 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 2 litres
of country made liquor was recovered from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that petitioner's name surfaced in this case on the basis of confidential information. It is further submitted that recovery is made from the joint house of the petitioner where the other family members also reside. The petitioner is in custody since 26.10.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Charge-sheet has been submitted in this case.

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 and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur PS Case No. 336 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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