

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2378 of 2024

Arising Out of PS. Case No.-606 Year-2023 Thana- Excise P.S. District- Madhepura

Nishant Kumar S/o- Ganesh Kumar Singh R/o Vill- Shankar Pura, Ward no-03, P.S- Bharrahi O.P. Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Madhepura Excise P.S Case No. 606 of 2023 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act 2018.

3. As per prosecution case, total 8 litre illicit Cought Syrup was recovered from the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the



petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioner is in judicial custody since 15.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge VII cum Special Judge, Excise Act II, Madhepura in connection with Madhepura Excise P.S Case No. 606 of 2023.

(Ramesh Chand Malviya, J)

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