

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2801 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- Excise Mashrakh District- Saran

Nitish Kumar Son of Indradeo Das Village -Fatehpur PS- Dirdarganj, Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mashrakh Excise P.S. Case No. 64/2024 dated 23.10.2024 registered for the offences punishable u/s 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 69.840 litres of illicit foreign liquor was recovered from the car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is driver of the said



car. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Mashrakh Excise P.S. Case No. 64/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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