IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90274 of 2024

Arising Out of PS. Case No.-373 Year-2024 Thana- Excise P.S. District- Jehanabad

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Nitish Kumar S/o Late Ram Niwas Paswan R/o Village- Korara, P.S.- Paliganj, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Paras Nath, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-01-2025

1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Arwal Excise P.S. Case No. 373 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 55 litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has no concern with the vehicle. The petitioner

has got no concern with the alleged recovery of liquor. The petitioner is in custody since 04.12.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Arwal Excise P.S. Case No. 373 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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