

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13953 of 2023**

Arising Out of PS. Case No.-684 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

NITESH KUMAR Son of Pramod Singh @ Pramod Kumar R/V- Palastanpur  
@ Prastampur, P.s- Natwar, Dist- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      05-05-2023                      1. Heard learned counsel for the petitioner and the  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Mohania P.S. Case No. 684 of 2022 dated 15.12.2022 registered  
for the offences punishable under Section 414 of the Indian  
Penal Code and Sections 30(a), 41(i) and 47 of Bihar  
Prohibition and Excise Act.

3. The main submissions advanced by learned  
counsel for the petitioner are that the instant matter relates to the  
recovery of 198 litres of illicit country made liquor and the same  
is stated to have been recovered from a vehicle (Tata Magic  
Pickup) and the petitioner is alleged to be found in the said  
vehicle but in actual, he was present in the said vehicle in the  
capacity of it's driver and he has fair and clean antecedent and



has been languishing in jail since 16.12.2022 and he is a very young person and against him, the investigation has been completed. Further submissions are that the recovery of the alleged liquor was not made from his conscious possession and some other persons are stated to be involved in the smuggling of the alleged liquor.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his young age, his custody period and completion of the investigation against him and also the fact that he is stated to be driver of the alleged vehicle from which the alleged liquor was recovered, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Mohania P.S. Case No. 684 of 2022.

**(Shailendra Singh, J)**

annu/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

