

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2248 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- Excise P.S. District- Begusarai

Nitish Kumar Son of Sunil Sah Resident of Aadarsh Nagar, Ward No. 15, P.S.
- Barauni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 14-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 280/2024 registered for the offences under
Section 30(a) of the Bihar Prohibition & Excise (Amendment)
Act, 2022.

3. The prosecution case in nutshell is that the
informant received secret information that the petitioner was
selling foreign liquor. On raid, it was found that there was
208.125 litres of foreign liquor kept in the house of the
petitioner while 61.500 litres of foreign liquor was recovered
from a Maruti car which belonged to the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case merely because he carries a long list of criminal antecedents of similar nature. Learned counsel further submits that the petitioner has no concern with the seized liquor and also the vehicle from which foreign liquor was seized does not belong to him. It is lastly submitted that the petitioner has seven criminal antecedents on which he is on bail and is languishing in custody since 09.12.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is involved in the trade of foreign liquor and the criminal history certifies to his conduct.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner is in judicial custody since 09.12.2024, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Begusarai in connection with Excise P.S. Case No. 280/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in



violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

d. If the petitioner is found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.

(Sourendra Pandey, J)

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