

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.860 of 2025

Arising Out of PS. Case No.-564 Year-2023 Thana- MADANPUR District- Aurangabad

Nitish Kumar @ Nitish Kumar Singh @ Nitesh Kumar S/o Bhola Singh R/O
Village- Uchauli, P.S- Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-02-2025 1. Heard the parties.

2. The petitioner seeks regular bail in connection with Madanpur P.S. Case No. 564 of 2023, G.R. No. 1394 of 2023 dt: 28.12.2023 registered for the offence under Section 30(a), 34, 36 of the Bihar Prohibition and Excise Amendment Act 2022.

3. The prosecution story as per the first information report is that on secret information that the petitioner has kept spirit in front of his house in the heap of straw, the informant reached at the place of occurrence and saw that the petitioner along with the co-accused were fleeing away upon seeing the police party. It is further alleged that the co-villagers disclosed the name of petitioner and other co-accused to the police. It is also alleged that a total quantity of 455 liters of spirit and 3 liters of foreign liquor were recovered from beside the southern side of the



house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has no concern with the seized spirit and liquor. Learned counsel further submits that illicit material has not been recovered from conscious possession of the petitioner rather it has been recovered from in front of his house. The petitioner has been implicated in this case only on the basis of secret information. The petitioner is in custody since 23.11.2024.

5. Regard being had to the submission made by the parties, taking into consideration the short period of custody and the recovery of spirit which may be converted into spurious liquor endangering the life of general people, I am not inclined to grant regular bail to the petitioner. The same is rejected.

6. However, the petitioner may renew his prayer for bail after three months from today.

(Anil Kumar Sinha, J)

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