

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9065 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- EXCISE SIMRAHI District- Supaul

Nitish Kumar S/o Bijendra Yadav R/o Village- Parsarma Wrad No 06, PS-
Raghopur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Miscellaneous Excise PS Case No. 4783 of 2024 arising out
of Excise Simrahi P.S. Case No. 107 of 2024, instituted for
the offences under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 342
litres of Nepali liquor was recovered from Car.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been
recovered from the conscious possession of the petitioner.



The petitioner has got no concern with the alleged recovery of liquor. It is submitted that petitioner is neither the owner nor the driver of the seized car. The petitioner is in custody since 13.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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 Miscellaneous Excise PS Case No. 4783 of 2024 arising out of Excise Simrahi P.S. Case No. 107 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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