

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18603 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- Excise P.S. District- Samastipur

Nitish Kumar @ Niteesh Kumar S/o- Hari Prasad Singh Village- Bazidpur,
Ward No. 7, Police Station- Karpurigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Samastipur Sadar Excise P.S. Case No. 34 of 2025 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the fields of Hari Prasad Singh near a pump, 145.260 litres of country made foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He also submits that the recovery has not been made from the possession of the petitioner, rather the recovery has been made from an open



place. The petitioner name has been disclosed by police personnel. He is not concerned in any way with the said recovery. He is also having criminal antecedent of one case of similar nature.

5. In contra, learned APP appearing for the State opposed the prayer of bail of the petitioner and submits that

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail with a condition that the petitioner shall not indulge in similar nature of offences in future. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Samastipur Sadar Excise P.S. Case No. 34 of 2025, he will 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 learned Special Judge, Excise-2, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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