

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24641 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- RAIL JHAJHA District- Jamui

Nitish Kumar @ Billu S/o- Lalo Mahto Village- Gadhpura Ward No 11 PS-
Gadhpura Distt-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rail Jhajha P.S. case No.
17 of 2025 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 78.120 liters
liquor was recovered from a bag kept in general compartment
of the train. The petitioner was arrested on spot.

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



further submitted that recovery is made from a public place and the petitioner has been made escape goat. The petitioner is in custody since 20.02.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 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 Rail Jhajha P.S. case No. 17 of 2025.

(Rudra Prakash Mishra, J)

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