

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25065 of 2025

Arising Out of PS. Case No.-205 Year-2023 Thana- UCHKAGAON District- Gopalganj

Nitesh Yadav @ Nitish Yadav, Male, aged about 22 years, Son of Haresh Yadav, R/O Village- Bhagwan Tola, P.S.- Uchkagaon, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Uchkagaon P.S. Case No. 205 of 2023 dated 06.06.2023 registered for the offences punishable under Section 30(a) and (b) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 648 litres of illicit country made liquor was recovered from the Bolero vehicle from which the co-accused persons Munna Kumar and Udish Kumar were also arrested who also disclosed the name of this petitioner and the other co-accused persons Mukul Yadav and Suraj Singh.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the confessional statement of the apprehended co-accused persons Munna Kumar and Udish Kumar which has got no evidentiary value in the eyes of law. The petitioner is neither the owner of the Bolero vehicle nor he has any concern with the seized illicit liquor. No incriminating article has been recovered from his possession. It is further submitted that the other co-accused person, namely, Mukul Yadav, has already been granted bail by a Bench of this Court in Cr. Misc. No. 46410 of 2023 vide order dated 02.08.2023. The petitioner has four criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 04.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-XIII-cum-Special Judge, Excise-1, Gopalganj in
connection with Uchkagaon P.S. Case No. 205 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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