

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27518 of 2025

Arising Out of PS. Case No.-447 Year-2024 Thana- Excise P.S. District- Begusarai

Nitish Kumar @ Nitish Choudhary S/O Ram Baran Chaudhary R/O Vill.-
Manopur, Ward No. 2, P.S.- Bhagwanpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Excise Begusarai P.S. Case No. 447 of 2024 dated 22.12.2024 registered for the offences punishable u/ss 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2070 litres of illicit foreign liquor was recovered from the house of the co-accused, Manoj Shah. Total 9 litres of illicit foreign liquor was recovered from the motorcycle parked at the house of the co-accused, Manoj Shah.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no



concern with the alleged recovery rather the recovery has been made from the house of the co-accused person. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Begusarai in connection with Excise Begusarai P.S. Case No. 447 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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