

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30938 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- GARHI District- Jamui

1. Nitish Kumar S/o Late Sunil Mahton R/o Village- Atari (Hatari), P.S.- Dhamol, District- Nawada
2. Sonu Kumar S/o Santosh Kumar @ Santosh Prasad R/o Village- Ghoshtama (Goshtama), P.S.- Kadirganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Adv. Mr. Brajesh Sahay, Adv. Ms. Harshita, Adv.
For the Opposite Party/s :		Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Garhi P.S. Case No. 38 of 2025 dated 05.03.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 259.200 litres of illicit foreign liquor was recovered from the Tata Sumo Vehicle and a Scorpio vehicle was also recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are neither the owner nor the driver of



the seized vehicle. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged vehicle. The petitioner no.1 has three criminal antecedents and the petitioner no.2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 06.03.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are 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, Jamui in connection with Garhi P.S. Case No. 38 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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