

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32270 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- SONBERSA District- Sitamarhi

Nitnesh Kumar S/O Ram Kamal Bhagat @ Ram Ekbal Bhagat R/O Village-
Balwatola ward no.-13 @ Balba Tola, Ward no.-13, P.S.- Bajpatti, Dist.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 15-05-2025 Heard Mr. Santosh Kumar, learned counsel for the

petitioner and Mr. Tarkeshwar Nath Thakur, learned APP for

the State.

2. The petitioner seeks bail in connection with
Sonbarsa P.S. Case No. 86 of 2025 instituted for the offences
punishable under Sections 317(2) of the BNS and 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 221.25
litres of liquor was recovered from Santro Car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 07.03.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Sonbarsa P.S. Case No. 86 of 2025.

(Rudra Prakash Mishra, J)

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