

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31415 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- BHAIKAVSHTHAN District- Madhubani

Nitish Kumar Yadav S/o Girjanand Yadav R/o Village- Dhatta Dumra, P.S.-
Rudrapur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

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

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in G.R. No. 56 of 2025,
arising out of Bhairav Asthan P.S. case No. 09 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 432 liters
liquor was recovered from Scorpio vehicle. 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 the petitioner is driver of the vehicle and he had no knowledge regarding the nature of goods kept in vehicle. The petitioner is in custody since 26.01.2025 and has got no 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, clean antecedent 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 G.R. No. 56 of 2025, arising out of Bhairav Asthan P.S. case No. 09 of 2025.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

