

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44218 of 2025

Arising Out of PS. Case No.-310 Year-2025 Thana- Excise P.S. District- Nawada

Nitish Kumar Son of Ajay Prasad Yadav @ Ajay Yadav R/o Vill.- Hathochak,
P.O.- Bahadurpur, P.S.- Rajouli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Amit Ranjan, Advocate
For the State	:	Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 238 litres illicit liquor was recovered from two motorcycles.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question and has been made an accused in this case merely on the basis of confessional statement of co-accused person. Nothing has been recovered from the conscious possession of this petitioner.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of liquor was recovered from the seized vehicles. Petitioner has got two criminal antecedents of similar nature.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor from the seized vehicles and fact that petitioner has got two criminal antecedents of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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