

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44492 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- MIRGANJ District- Gopalganj

Nitesh Patel @ Ritesh Kumar S/O Sheojatan Prasad @ Patel @ Shivjatan Prasad Resident of Village- Kukurbhukka, P.S- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mirganj PS Case No. 154 of 2025 instituted for the offences under Section/s 30(a) of the Bihar Prohibition and Excise Act and Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 15 liters liquor was recovered from motorcycle.

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 submitted



that name of the petitioner has surfaced in this case on the basis of disclosure made by apprehended co-accused person. Petitioner has no concern with the motorcycle in question. The petitioner is in custody since 03-05-2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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 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 Mirganj PS Case No. 154 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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