

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43167 of 2025

Arising Out of PS. Case No.-236 Year-2025 Thana- EXCISE MASAUDHI District- Patna

Nitish Kumar S/o Bhushan Pandit R/o Village- Dhanaut Phulwarisharif, PS -
Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Masaurhi Excise P.S. Case No. 236 of 2025 dated 22.05.2025 registered for the offences punishable u/ss 30(a), 32(3) and 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 300 litres of illicit country made liquor was recovered from the Tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the seized vehicle. The petitioner is only the driver of the seized vehicle and he has



no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.05.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is 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, Patna in connection with Masaurhi Excise P.S. Case No. 236 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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