

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42737 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- BHUTAHI District- Sitamarhi

Nitesh Kumar, Gender-Male, Son of Pargash Paswan, resident of Village-  
Ramnagar, Police Station-Riga, District-Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhusudan Rai, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

2      08-07-2025                      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 Bhutahi P.S. Case No. 05 of 2025 dated 21.04.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act and Section 317(5) of B.N.S.

3. As per the prosecution case, total 174.300 litres of illicit Nepalese wine 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 said vehicle. The petitioner has no concern with the alleged recovery. Nothing has



been recovered from the conscious possession of the petitioner.  
The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.04.2025.

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, Sitamarhi in connection with Bhutahi P.S. Case No. 05 of 2025.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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