

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45670 of 2025

Arising Out of PS. Case No.-399 Year-2018 Thana- MASAUDHI District- Patna

Nitish Kumar S/o Late Naresh Yadav Resident of Village- Badroi, PS-
Masaurhi, New PS- Lahsuna, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Barun Prasad learned counsel for the

petitioner and Mrs. Veena Kumari Jaiswal, learned APP for the

State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Masaurhi P.S. Case No. 399 of 2018 instituted
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The case of the prosecution is that altogether 45
liters of country made liquor was recovered near a *nala*.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
case. Nothing has been recovered from the possession of this



petitioner. His name has been surfaced in the secret information. It has also been submitted by learned counsel for the petitioner that petitioner is having no criminal antecedent.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Masaurhi P.S. Case No. 399 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-III, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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