

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45504 of 2025

Arising Out of PS. Case No.-201 Year-2022 Thana- JAYNAGAR District- Madhubani

Nitish Kumar S/o- Sajjan Yadav@Sanjit Kumar Yadav Resident of village-
Kamalbari Purab tola PS-Jaynagar District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shailendra Kumar Jha, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2025 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 Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 135 litres illicit *Nepali Saufi* wine was recovered from behind the house of one Bindeshwar Yadav.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place,



which is accessible to one and all.

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 illicit liquor was recovered. Petitioner has got three criminal antecedents out of which one is of similar nature.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor and fact that petitioner has got three criminal antecedents out of which one is of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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