

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47843 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- SALAIYA District- Aurangabad

Nitish Kumar S/O Shivnandan Yadav R/O Village-Gajraj bigha, P.S.-
Salaiya, Distt-Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Aman Vishal, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, 50 litres illicit country
made liquor was recovered from an open place.

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. Charge-sheet has already



been submitted and petitioner is in custody since 28.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. I, Aurangabad (Bihar) in connection with Salaiya P.S. Case No. 35 of 2024.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

