

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45538 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- KARPURIGRAM District- Samastipur

Nitish Kumar @ Nibba @ Nibha Son of Bhagwat Singh Resident of village -
Baghi, P.S.- Karpurigram, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Karpurigram P.S. Case No. 52 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 342 liters liquor was recovered from agricultural land of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel



for the petitioner also submits that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioner is in custody since 01.06.2025 and has got three criminal antecedents in which he is on bail in two cases. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Karpurigram P.S. Case No. 52 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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