

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48874 of 2025

Arising Out of PS. Case No.-663 Year-2024 Thana- Excise P.S. District- Siwan

Nibhas Kumar @ Nivash Kumar S/o Dinesh Rai R/o Village- Fatehpur Pakri,
P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, 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 apprehends arrest in connection with

Siwan Excise P.S. Case No. 663 of 2024, registered under

Sections 30(a) and 32(3) of the Bihar Prohibition and Excise

Act.

3. The prosecution case, in short, is that, 225 liters

liquor was recovered from car.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. The petitioner has got no concern with the alleged

recovery of liquor. Learned counsel for the petitioner also



submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case as being owner of the car in question and he has got no knowledge with regard to the nature of goods were transported in his vehicle. Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 82999 of 2024. 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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Siwan Excsie P.S. Case No. 663 of 2024, subject to the conditions as laid down



under Section 482(2) of the Bharatiya Nagarik Suraksha
Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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