

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58895 of 2025

Arising Out of PS. Case No.-419 Year-2024 Thana- ROH District- Nawada

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Nitish Kumar Son of Kailash Yadav Village- Mahkar PS-Roh, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Roh P.S. Case No. 419 of 2024 for the offences registered under
Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 150 litre country made liquor
from Manna Pond situated at village Mahakar. It is alleged that
petitioner along with another co-accused fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case
only on the basis of identification of local *Chaukidar* with whom
petitioner has inimical term. Petitioner was not arrested on the
spot. Nothing has been recovered from the conscious possession of
the petitioner. Recovery has been made from an open place which
is accessible to any one. Petitioner has no concern with the seized



liquor. Charge-sheet has already been submitted after completion of the investigation. Petitioner has three criminal antecedents which do not belong to Excise Act. He is in judicial custody since 04.06.2025. He undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-02, Nawada in connection with Roh P.S. Case No. 419 of 2024.

(Sunil Dutta Mishra, J.)

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