

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50788 of 2025**

Arising Out of PS. Case No.-62 Year-2024 Thana- BHITAHA District- West Champaran

Ramavtar Nishad @ Vidya Bin Son of Laxmi @ Laxmi Nishad R/O Village-  
Dasahawa Tola, Dhobighatwa, P.S.- Barwapatti, District- Kushi Nagar (Uttar  
Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2      31-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Bhitaha PS Case No. 62 of 2024 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 793.32  
litres of foreign liquor was recovered from Boat.

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. It is submitted  
that the name of the petitioner has transpired as being owner of  
the boat. It is further submitted that recovery is made from an



open place, which is accessible to one and all. The petitioner is in custody since 05.05.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhitaha PS Case No. 62 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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