

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51499 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- SONBERSA District- Sitamarhi

Nitish Kumar S/o- Devendra Ray Resident of village- Pakadiya ward no- 4,
P.S.- Parihar District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Kumari, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 55 bottles of Nepali liquor was recovered from the seized motorcycle.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question. The name of the petitioner transpired on the basis of disclosure made by co-accused person, who was apprehended on the spot. Nothing has been recovered from the



conscious possession of this petitioner. Petitioner claims clean antecedents.

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

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

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, 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 Special Judge Excise-I, Sitamarhi in connection with Sonbarsa P.S. Case No. 105 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

Neha/-

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

