

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53422 of 2025

Arising Out of PS. Case No.-288 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Nitish Kumar @ Nitish Yadav S/o Rajaram Yadav Vill.- MasadhTola, PS -
Udwantnagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the prosecution case, there is recovery of
107 litres of country made liquor from the bush situated near the
river.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. Further submission is that the
alleged recovery has been made from an open place easily
accessible to anyone. Petitioner has no concern with the seized
illicit liquor and place of occurrence. Nothing has been



recovered from the conscious possession of the petitioner.
Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Judge, Excise Court No. II, Bhojpur at Ara in connection with Udwantnagar P.S. Case No. 288 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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