

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53724 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Nitish Ram, Male, aged about 19 years, S/O Virendra Ram, R/O Village- Ghat Bandhaura, P.S- Vijaipur, Distt- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Priya Raj, Advocate

For the Opposite Party : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Vijaipur P.S. Case No. 173 of 2024 dated 15.08.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 92 litres of illicit country made liquor was recovered from the motorcycle in question.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was not arrested on the spot. His name has surfaced in the present case on the basis



of the disclosure made by the two local Chaukidars. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that alleged seized liquor and the motorcycle in question does not belong to the petitioner. The petitioner has no concern with the alleged offence. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. It is further submitted that the other co-accused person, namely, Nadim Ansari, has already been granted bail by a Bench of this Court in Cr. Misc. No. 27635 of 2025 vide order dated 06.05.2025, annexed as Annexure-P/2 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 09.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise Court-II, Gopalganj in connection with Vijaipur P.S. Case No. 173 of



2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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