

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55625 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- DORIGANJ District- Saran

Nitesh Kumar @ Nitesh Rai S/o Lal Kishun Rai @ Balkishun Ray R/o
Village - Bichla Balua (East Balua), P.S - Doriganj, District - Saran at Chapra
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Md. Iftekhhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 50 litres of illicit liquor
was recovered from the jute sack which was allegedly thrown
by this petitioner and co-accused on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of suspicion. Further submission is that there is
no recovery from the conscious possession of the petitioner. The
alleged recovery of illicit liquor has been made from an open
place which is easily accessible to public. Petitioner has no



concern with the place of occurrence or seized illicit liquor. Petitioner has clean antecedent and there is no chance of his absconding or tampering with the evidence. Petitioner is in custody since 16.06.2025 and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-P.O., Exclusive Special Excise Court No.3, Saran at Chapra in connection with Doriganj P.S. Case No.39 of 2024.

(Sunil Dutta Mishra, J)

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