

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58639 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- Aunsi District- Madhubani

Nitish Kumar @ Nitish Kumar Yadav S/o- Arun Yadav @ Arun Kumar Yadav,
Resident of Village- Bharagama Ward No- 10 PS- Bheja Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate.

Ms. Archana Aanand, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Aunsi P.S. Case No.38 of 2025 arising out of G.R. Case No.854
of 2025, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
135 litre illicit *Nepali* country made liquor from the Maruti
Wagon-R Car bearing Registration No. BR-06-R-6047.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He further submits that the petitioner has no concern either
with the alleged recovered liquor or the vehicle from where the
recovery has been made. Learned counsel submits that no
incriminating article has been recovered from the conscious



possession of petitioner. He further submits that the petitioner is neither owner nor driver of the seized vehicle. Learned counsel submits that similarly situated co-accused, namely, Dipak Kumar @ Dipak Kumar Sahni had already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 14.08.2025 passed in Cr. Misc. No.54986 of 2026. He further submits that petitioner is in custody since 23.06.2025, having clean antecedent. He also submits that there is no likelihood of absconding the petitioner or tampering with the evidence 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 bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Madhubani in connection with Aunsi P.S. Case No.38 of 2025 arising out of G.R. Case No.854 of 2025.

(Sunil Dutta Mishra, J)

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