

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59462 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- PHULWARIYA District- Gopalganj

Nitesh Kumar @ Nitish Kumar Son of Late Vijay Singh Resident of Village -
Taruchak, Police Station - Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. There is recovery of 396 litres country made liquor
from four motorcycles. Petitioner was apprehended on the spot
and he disclosed the names of other escaped persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
cases on the basis of suspicion. Nothing has been recovered
from conscious possession of the petitioner. The seized
motorcycle does not belong to the petitioner. Petitioner has no
concern with the seized liquor. In fact, petitioner resides near the
place of occurrence and only on the basis of suspicion, he was



arrested. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding the petitioner. Petitioner has two criminal antecedents of similar nature. Petitioner is in jail since 07.06.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner 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 District and Sessions Judge XIII-cum-Special Judge Excise I, Gopalganj in connection with Phulwariya P.S. Case No.103 of 2025.

(Sunil Dutta Mishra, J)

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