

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59857 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- Excise P.S. District- Madhubani

1. Nilesh Kumar @ Nilesh Kamat son of Late Ramudagar Kamat R/o - Motenaje, Ward no.13, P.S - Ladania, District - Madhubani, Bihar
2. Ram Adhin Kumar Yadav Son of Dev Kumar Yadav Resident of Village- Godam Tol, ward no. 03, ps- Ladania, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

3. There is total recovery of 1716 litres illicit liquor
out of which 48 litres beer was recovered from a motorcycle and
rest illicit liquor was recovered from a pickup van. Pickup van
driver Sonu Kumar and two persons, namely, Nilesh Kumar and
Ram Adhin (petitioners herein) were arrested on the spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. Petitioners are neither the owners of seized pickup van nor



they have any concern with the seized illicit liquor. Nothing has been recovered from conscious possession of the petitioners. Petitioner no.2 is the owner of the motorcycle in question. The driver of pickup van disclosed that the consignment was given to him by one Udgar Kamat to deliver the same to one Nandan Kumar Singh @ Chhotu but he had no knowledge about keeping of illicit liquor in the vehicle. There is no independent witness of the seizure list. Petitioners have two criminal antecedents out of which one is of similar nature. Petitioners are in jail since 01.07.2025 and they undertake to cooperate in the trial.

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

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Act, Madhubani in connection with Sadar Excise P.S. Case No.217 of 2025 subject to the condition(s) that:

(i) The petitioner shall desist from committing any



such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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