

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58563 of 2025

Arising Out of PS. Case No.-309 Year-2021 Thana- RAJAOLI District- Nawada

Nitish Kumar S/o Babulal Prasad Yadav @ Babulal Yadav R/o Village-
Baurhi, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajauli P.S. Case No. 309 of 2021, instituted under Section 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. On getting secret information regarding transportation of illicit liquor on a motorcycle, police party reached at the marked place. Seeing the police party accused persons started fleeing away leaving the motorcycle but on chase one co-accused was apprehended who disclosed his name as Golu Kumar. He disclosed that petitioner fled away from the spot. On search, 16.500 litre illicit liquor was recovered from a bag tied with the said motorcycle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case



on the basis of disclosure statement made by the co-accused. He was not present on the spot. No incriminating material has been recovered from his possession. He is neither driver nor owner of the said motorcycle. He has no concern with the seized liquor. Petitioner has one criminal antecedent of the year 2018, in which he is on bail. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise II, Nawada in connection with Rajauli P.S. Case No. 309 of 2021, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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