

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61962 of 2025

Arising Out of PS. Case No.-368 Year-2023 Thana- PHULWARIYA District- Gopalganj

Nitish Singh @ Nitish Kumar Singh S/o Vijay Singh R/o Village- Niyamat
Guriyav, P.S- Kateya, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Phulwaria Police Station Case No. 368 of 2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 103.400 litres of country-made liquor is said to have been recovered from the sack loaded on the motorcycle bearing Registration No. BR28C0625.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the



conscious physical possession or vehicle of the petitioner. The petitioner is neither the owner of the motorcycle in question nor he has any connection with the seized liquor. His name has come in the present case on the basis of the disclosure made by the local *Chaukidar*. The petitioner is having no criminal antecedent. Learned counsel lastly submits that similarly situated co-accused person has already been granted regular bail vide order dated 20.02.2025, passed in Cr. Misc. No. 2821 of 2025.

5. Having regard to the submissions made by the parties and taking into consideration the justification given by the petitioner and the fact that nothing has been recovered from the conscious physical possession or vehicle of the petitioner and petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Addl. Sessions Judge-XIII-cum-Special Excise Court No.-I, Gopalganj, in



connection with Phulwaria Police Station Case No. 368 of 2023,
subject to the condition laid down under Section 482 (2) of the
B.N.S.S.

(Anil Kumar Sinha, J)

Siwani/-

U		T	
---	--	---	--

