

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61477 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Nitish Kumar S/o Suresh Yadav Resident of Village- BhawariKhurd, P.S.-
Fatehpur, Distt- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Excise
Sherghati) P.S. Case No. 217 of 2025 registered for the offence
punishable under Sections 30(a) & 32(3) of the Bihar
Prohibition and Excise Act.

3. There is recovery of 150 liters of illicit country
made liquor. The petitioner is in jail since 24.07.2025 and
claims clean antecedent.

4. Learned counsel for the petitioner submits that the
petitioner is ready to donate Rs. 25,000/- (Rupees Twenty Five
Thousand Only) in some charitable organization without
accepting his guilt.



5. Learned APP for the State has vehemently opposed the prayer of the petitioner.

6. Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner, this application for regular bail stands allowed.

7. Accordingly, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Court No. 3, Gaya/concerned court below in connection with Excise (Sherghati) P.S. Case No. 217 of 2025 subject to the conditions that:-

(I). The petitioner shall deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) in Ramakrishna Mission Ashrama, Gaya, Bihar and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner;

(ii). The petitioner is directed to mark his attendance in Fatehpur Police Station on every Sunday of each month. Failure to do so, will result in cancellation of bail bond of the petitioner;



(iii). *At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent then only his bail bonds shall be accepted by the Court below.*

(Sandeep Kumar, J)

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