

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62132 of 2025**

Arising Out of PS. Case No.-908 Year-2025 Thana- Excise P.S. District-
Patna

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Nishant Raj S/O Umakant Singh R/O Village- Brahampur, Ward No.- 11,
P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Excise P.S. Case No. 908 of 2025 dated 05.06.2025, disclosing offence under Section 30(a), 32, 62 and 56(b) of the Bihar Prohibition and Excise Act, 2016 and Amendment Act 2022 (hereinafter referred to as 'the Act').

3. According to the prosecution case, 81.55 liters of illicit foreign liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that according to the seizure list,



it is apparent that the alleged recovery of liquor is made inside the house of Umakant Singh, who happens to be father of the petitioner. He further submits that the house in question was locked at the time of seizure and the petitioner is not the owner of the house as per the F.I.R. and the seizure list. He further submits that the father of the petitioner, who is the absolute owner of the house has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.09.2025 passed in Cr. Misc. No. 57047 of 2025. The petitioner has no concern with the alleged recovery of liquor.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has got one more case of similar nature other than the present one.

6. Regard being had to the submission made by the parties and taking into consideration the fact that the alleged recovery of illicit liquor has been made from the house of Umakant Singh, who has already been granted bail by a co-ordinate Bench of this Court, I am inclined to grant the privilege of



anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. 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 the learned Special Judge Excise-III at Patna in connection with Excise P.S. Patna Case No. 908 of 2025, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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