

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72755 of 2024**

Arising Out of PS. Case No.-80 Year-2024 Thana- SITAMARHI District- Nawada

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1. Nitish Kumar @ Nitesh Kumar Son of Nageshwar Chaudhary Resident of Vill- Dihri, P.S- Fatehpur, District- Gaya
  2. Vinay Kumar Son of Dharmendra Kumar Resident of Vill- Fudi, Ps- Tankupa, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Krishna Deo Raj  
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

3      03-03-2025                      Heard learned counsel for the petitioners and learned A.P.P for the State.

2. Learned counsel for the petitioners is permitted to make necessary correction in paragraphs 3 and 8 of the bail petition.

3. The petitioners have preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 80 of 2024 dated 13.08.2024 registered for the offences punishable u/s 30(a), of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 400 litres of illicit country made liquor was recovered from the car and motorcycle.



5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are neither the driver nor the owner of the said vehicles. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner no. 1 has two criminal antecedents and the petitioner no. 2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.08.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Sitamarhi P.S. Case No. 80 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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