

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67359 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- BALRAMPUR District- Katihar

Nirmal Jha S/o Late Krishnadev Jha R/o Village- Shastri Nagar, Ward No. 9,
P.S.- Karandiggghi (Dalkhla O.P.), District- Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner is in custody in connection with
Balrampur P.S Case No. 128 of 2025 registered for the
offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Amendment Act, 2016.

3. As per prosecution case, total 402.525 litre
illicit liquor was recovered from the vehicle.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is
further submitted that no incriminating article has been
recovered from the conscious possession of the petitioner.



On perusal of seizure list, there is no independent witness. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 01.08.2025.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner 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 Judge, Excise Court No. 1, Katihar in connection with Balrampur P.S Case No. 128 of 2025.

(Ramesh Chand Malviya, J)

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