

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69447 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- TETERHAT District- Lakhisarai

Nitish Kumar, S/o Krishnadev Yadav R/o Village- Rampur, P.O- Mananpur,
P.S- Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Anand, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Tetarhat P.S. Case No. 163 of 2025, instituted for the offence under Sections 30(a) and 34 of the Bihar Prohibition and Excise Act.

3. There is recovery of 330 litres of country made liquor from the Scorpio vehicle of the petitioner bearing Registration No. BR46S 8147 and 15 litres country made liquor from a motorcycle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being registered owner of the said Scorpio vehicle. Vehicle of the petitioner was taken by one Nitish Kumar, son of Mahesh Yadav, r/v Rampur, P.S. Chanan, Lakhisarai on the pretext of



some personal work. Petitioner had no knowledge about the misdeed of co-accused. No incriminating material has been recovered from his conscious possession. Petitioner has no concern either with the seized liquor or with the seized motorcycle. Petitioner has one criminal antecedent which is not of Excise Act. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge VII-cum-Exclusive Special Excise Judge, Lakhisarai in connection with Tetarhat P.S. Case No. 163 of 2025, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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