

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69453 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- KURSAILA District- Katihar

Nitish Kumar S/o Gajendra Sah @ Gajendra Kumar Sah R/o vill - Maula
Nagar Chakla, ward no. 9, P.S.- Polhiya, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kursela P.S. Case No. 106 of 2025 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a scooty, 60 liters of country-made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the petitioner has been named in this case as he is the owner of the said scooty. It has further been submitted that the petitioner has given his scooty to his friend



for an urgent need and he was having no knowledge regarding the illicit liquor and recovery thereof. He further submits that the petitioner is languishing in judicial custody since 29.07.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court-II, Katihar in connection with Kursela P.S. Case No. 106 of 2025 **with a condition that the petitioner will not indulge in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

Sudhanshu/-

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