

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69124 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- SAHAJITPUR District- Saran

Nitish Kumar @ Nitesh Kumar S/o Binda Sah R/o Village- Dhobwal @
Dhobawal, P.S.- Baniyapur, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 1.260 litres of illicit
liquor was recovered from the Passion Pro motorcycle bearing
Reg. No. BR04-AB-6392. Local *chaukidar* disclosed the name
of the petitioner that he fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case merely on the disclosure made by local *chaukidar*. Further
submission is that earlier, petitioner had filed anticipatory bail
application bearing Cr. Misc. No. 52215 of 2025 which was
rejected *vide* order dated 12.08.2025 with observation that if the
petitioner surrenders within 6 weeks, his regular bail shall be



disposed of without being prejudiced to the said order, petitioner, accordingly, surrendered before the Court concerned. It is submitted that petitioner was not present at the place of occurrence and he has no concern with the seized liquor and motorcycle. Nothing has been recovered from conscious possession of the petitioner. Petitioner has one criminal antecedent in which he is on bail. There is no chance of absconding of the petitioner or tampering with the evidence. Petitioner is in custody since 08.09.2025 and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Sahajitpur P.S. Case No.75 of 2025.

(Sunil Dutta Mishra, J)

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