

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79676 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- KOCHAS District- Rohtas

Nitish Chauhan @ Nitish Kumar Son of Munna Chauhan R/o Village - Lakadi
Dera, P.S.and P.O. - Kochas, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kochas
P.S. Case No. 158 of 2025, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 120.960 liters
of illicit liquor was recovered from cowshed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. The name of the
petitioner has surfaced in this case on the basis of the



information given by the spy. The alleged cowshed is an open place which is accessible to public at large. The petitioner is in custody since 08.10.2025 and has got clean antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 04.08.2025 passed in Cr. Misc. No. 50935 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kochas P.S. Case No. 158 of 2025.

(Rudra Prakash Mishra, J)

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