

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82497 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- NUAOW District- Kaimur (Bhabua)

Nitish Kumar Yadav @ Nitesh Kumar Yadav son of Mahendra Singh Resident
Of Village- Machhanhata /Ismailpur, P.s.- Mohania , District -Kaimur At
Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nuaon
P.S. Case No. 115 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 319.68 liters
liquor was recovered from car and the petitioner was
apprehended on spot.

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. Learned counsel



for the petitioner also submits that the petitioner was sitting as passenger in the car and the petitioner is not the owner of the car in question. It is further submitted that the petitioner has got no knowledge with regard to the nature of goods loaded in the car. The petitioner is in custody since 02.11.2025 and has got no criminal antecedent. 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 Nuaon P.S. Case No. 115 of 2025.

(Rudra Prakash Mishra, J)

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