

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83535 of 2025

Arising Out of PS. Case No.-654 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Nitish Kumar S/o- Ramashray Ram Village- Bahuara, P.S-Kargahar, District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Thana P.S. Case No. 654 of 2025, instituted for the offences
punishable under Sections 30(a), 32(i)(iii) and 41(i)(ii) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 87.120 liters
liquor was recovered from pick-up vehicle 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. It is further submitted that the petitioner is driver of the vehicle in question and he has got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 12.10.2025 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 Excise Thana P.S. Case No. 654 of 2025.

(Rudra Prakash Mishra, J)

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