

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83985 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- CHANAN District- Lakhisarai

Nitish Kumar S/O Shivbalak Ram R/O Village- Kundar, P.S- Chanan, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, A.P.P.

**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 Chanan
P.S. Case No. 130 of 2025, instituted for the offences punishable
under Section 317(2) of the BNS and Section 30(a) and 32 of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 70 liters of
country made liquor was recovered from motorcycle.

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 petitioner was
neither owner nor driver of the vehicle and the said recovery has
been planted for extraneous consideration. 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, *after framing of charge, if not already framed*, 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 Chanan P.S. Case No. 130 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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