

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11444 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- KALYANPUR District- Samastipur

Nitin Kumar @ Niteen Kumar S/o Rajeshwar Prasad Singh Resident of
Village - Ladaura, P.S - Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 08 of 2026 dated 10.01.2026 registered for the offence punishable under Section/s 30(a)/41(1) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the police has recovered total 3602.16 liters of illicit liquor from the truck bearing Regd. No. HR63C 6143.

4. Learned counsel for the petitioner submits that the recovery is said to have been made from the truck which does not belong to the petitioner. It is next submitted that the petitioner has ten antecedents out of which three are of similar nature of cases and in all of them, he is on bail except in one



case in which he has been acquitted. Counsel for the petitioner lastly submits that the petitioner is ready to abide by the terms and conditions imposed in this case, in case, the benefit of privilege of anticipatory bail is extended to him.

5. At this stage, without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.20,000/- (Rupees Twenty Thousand) in the welfare account of the Advocate Association of the Patna High Court.

6. Learned APP for the State opposes the prayer for grant of anticipatory bail.

7. Having heard learned counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the alleged truck from which alleged recovery is said to have been made, this Court is inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise First, Samastipur in connection with Kalyanpur P.S. Case No. 08 of 2026, subject to



the condition as laid down under Section 482(2) of the B.N.S.S.
and on production of the receipt showing deposit of Rs.20,000/-
as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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