

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15995 of 2026

Arising Out of PS. Case No.-298 Year-2025 Thana- Excise P.S. District- Madhepura

Jitendra Kumar S/o Budur Yadav Resident of Village- Rai Tola, Sukhashan,
P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

2 12-03-2026 Heard Mr. Sanjay Kumar Singh, learned counsel
for the petitioner and Mr. Nityanand Tiwary, learned APP for the
State.

2. The petitioner apprehends arrest in connection with
Madhepura Excise P.S. Case No. 298 of 2025, registered under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 1125 liters
liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged



recovery of liquor. Learned counsel for the petitioner also submits that the petitioner is neither owner nor driver of the truck in question. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 28.01.2026 passed in Cr. Misc. No. 4812 of 2026. 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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Madhepura Excise P.S. Case No. 298 of 2025, subject to the conditions as laid



down under Section 482(2) of the Bharatiya Nagarik Suraksha
Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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