

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17610 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- Excise P.S. District- Buxar

Nitish Yadav @ Nitish Kumar Son of Lalachandra Yadav @ Lalchand R/O
Village- Didhwania Majhowa, P.S.- Jianpur, District- Azamgarh, Uttar
Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate Ms. Mili Kumari, Advocate Mr. Mukul Kumar, Advocate
For the Opposite Party/s :		Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar Excise P.S. Case no.50 of 2026 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on search being conducted, 117 litres of liquor was recovered from the vehicle in question and the petitioner was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He has no concern with the vehicle in question nor with the seized article. He is in custody since 6.2.2026 and has no criminal



antecedent.

5. The application for bail is opposed by learned A.P.P
for the State.

6. Having heard learned counsel for the parties and
taking into consideration the allegations in the FIR, the
petitioner not having any concern with the vehicle in question,
his having remained in custody since 6.2.2026 and not having
any criminal antecedent, the petitioner is directed to be enlarged
on bail in connection with Buxar Excise P.S. Case no.50 of 2026
on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Exclusive Special Excise Judge-II, Buxar on the
following condition :

(i) In case, it subsequently transpires that the
petitioner has an antecedent under the Bihar Prohibition and
Excise Act, 2016, the prosecution will have the liberty to move
this Court for cancellation of bail granted to the petitioner.

(Partha Sarthy, J)

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