

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18002 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- KATHAIYA District- Muzaffarpur

1. Nitesh Kumar S/O Laddu Rai @ Sujeet Rai @ Dhananjay Kumar Yadav R/O Vill.- Lohi Nawalpur, Thatitan @ Thatiyan, P.S.- Kathaiya, Dist.- Muzaffarpur.
2. Sonu Kumar S/O Lalan Rai @ Lalan Prasad Yadav R/O Vill.- Lohi Nawalpur, Thatitan @ Thatiyan, P.S.- Kathaiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Section (5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 51.840 liters of foreign liquor is said to have been recovered from the motorcycle and it has been alleged that the petitioners were identified by some local villagers as the persons who fled away leaving behind the motorcycle.

4. It is submitted by learned counsel for the



petitioners that there is no recovery from the physical and conscious possession of the petitioners. The petitioners are neither the owners of the said motorcycle nor are concerned with the same. They have only been implicated on suspicion and village politics. Further, the petitioner no. 1 has no criminal antecedent however, petitioner no. 2 has one criminal antecedent but not of the same nature.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kathaiya P.S. Case No. 23 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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