

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22496 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- PANAPUR District- Saran

=====

Nitish Kumar @ Nitesh Kumar S/o Kirti Sahni @ Kriti Sahani Resident of
Village- Hussepur, Naya Tola, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-04-2026 Heard Mr.Anjani Parashar, learned counsel for the

petitioner and Mr.Parmanand Kumar, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
16.02.2026 in connection with Panapur P.S. Case No. 50 of
2026, F.I.R. dated 14.02.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 130 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. It appears from
the FIR that nothing has been recovered from conscious
possession of the petitioner rather altogether 130 liters of
country made liquor has been recovered from the motorcycle in



question and petitioner is not the owner of the motorcycle in question. Learned counsel for the petitioner submits that from a bare perusal of the FIR it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 16.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the motorcycle in question and there is non-compliance of Sections 103 and 105 of BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Panapur P.S. Case No. 50 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

