

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30429 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- LACHHUAR District- Jamui

Nitish Kumar S/O Late Ateran Rai R/O Vill.- Bariyedhu, P.S.- Mufassil, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Lachhuar P.S. Case No. 25 of 2026, registered for the offences under Sections 30(a)/32 of the Bihar Prohibition and Excise Case.

3. As per the prosecution case, during checking of vehicles, a pick-up vehicle being driven by the driver was stopped and on search of the vehicle recovery of 250.56 litres of foreign liquor was made concealed in the chicken fodder bags. Coaccused Kishan Kumar was also apprehended sitting in the vehicle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner is driver of the vehicle and he has no knowledge about the liquor kept in the vehicle. Petitioner is not the owner of the said vehicle and he has been driving the vehicle on the instructions of the owner of the vehicle. Learned counsel further submits that the coaccused Kishan Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 05.05.2026 passed in Cr. Misc. No. 29831 of 2026. The petitioner is in custody since 26.02.2026. The petitioner has clean antecedent.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the grant of bail to coaccused and also considering the period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special & Excise Court-1, Jamui/concerned court, in connection with Lachhuar P.S. Case No. 25 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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