

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29919 of 2026

Arising Out of PS. Case No.-113 Year-2026 Thana- CHAPRA MUFFASIL District- Saran

Nitin Kumar son of Vijay Mahato Resident of village- Chanwari PS- Sonpur
Dist -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a tempo, altogether 120.960 liters of illicit liquor was recovered. The petitioner is said to be the driver of the said tempo.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel has submitted that petitioner is merely a driver of the said tempo. He has no concern with the alleged recovery and also the



tempo does not belong to him. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chhapra Mufassil P.S. Case No. 113 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Saran at Chapra.

(Ashok Kumar Pandey, J)

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