

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36167 of 2026

Arising Out of PS. Case No.-106 Year-2026 Thana- RAJAOLI District- Nawada

Nitish Kumar S/o Mohan Yadav R/o Village- Kangobigha,P.S.- Rajauli,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned Counsel for the petitioner and
learned APP for the State.

3. The petitioner is apprehending arrest in connection
with Rajauli P.S. Case No. 106 of 2026 registered on 26.02.2026
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

4. As per prosecution, total recovery of 27 liters
country made liquor, loaded on a motorcycle, is the subject
matter of the present case.

5. It is submitted by the learned counsel for the
petitioner that the petitioner is innocent and has committed no
offence. The alleged recovery has not been made from the



possession of the petitioner rather it has been shown from two motorcycles. The petitioner has a clean criminal antecedent. Moreover, the petitioner is not the owner of the alleged motorcycle from which the recovery was made.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

7. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Court, Excise-II, Nawada, in connection with Rajauli P.S. Case No. 106 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/Manshi

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