

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42794 of 2026**

Arising Out of PS. Case No.-788 Year-2025 Thana- VAISHALI District- Vaishali

Nitesh Kumar S/o Dinesh Ram R/o Vill. - Phuladh, Mansurpur, P.S. - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party : Mr. Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Vaishali P.S. Case No.788 of 2025 registered under Sections 317(4), 317(5), and 3(5) of B.N.S. and 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 20 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of this petitioner transpired on



the basis of disclosure made by apprehended co-accused persons. It is also submitted that no country made liquor was recovered from conscious possession of this petitioner. It is further submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Court No. II Cum District and Additional Session Judge, Hajipur at Vaishali, in connection with



Vaishali P.S. Case No.788 of 2025, subject to the conditions
as laid down under Section 438(2) of the CrPC/under
Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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