

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40813 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- RAMPUR HARI District- Muzaffarpur

Nitish Kumar S/O Prahalad Sahni @ Pahlad Sahni R/O village - Chainpur, P.
S - Minapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 32(ii), 41(i) of Bihar
Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 06.05.2026 and allegation is of recovery of 1230 litres of
raw spirit from a tractor. It is next submitted that petitioner was
not arrested from the spot as such nothing was recovered from
his conscious possession and he came to be implicated based on
the fact that he is owner of the seized vehicle. It is next
submitted that no prudent person would use his own vehicle for
committing an occurrence and thus would create evidence



against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that his driver would misuse his vehicle in the manner as alleged who also fled from the spot.

4. Learned A.P.P. opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the period of custody, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rampurhari P.S. Case No.213 of 2025.

(Satyavrat Verma, J)

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