

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45245 of 2026

Arising Out of PS. Case No.-105 Year-2020 Thana- BEN P.S. District- Nalanda

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Nishant Kumar S/o Kumar Ashok Singh @ Ashok Kumar Resident of
Village- Katru Bigha, P.S.- Parwalpur, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Magan Kumar, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026

Heard the parties

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Ben P.S. Case No. 105 of 2020 registered for the offences punishable under Section 420, 120(B) of IPC and Section 30(a) of Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 9.36 litres of IMFL/country made liquor

4.Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from motorcycle bearing registration no. BR01 CR 2954. It is submitted that recovery is not made from conscious physical possession of this petitioner. It is further submitted that



petitioner was not present at the place of recovery and petitioner was implicated only being owner of the registered motorcycle. Petitioner claimed clean antecedent.

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge V cum Spl. Judge Excise, Biharsharif/concerned Court, where the case is pending in connection with Ben P.S. Case No. 105 of 2020, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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