

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52019 of 2026

Arising Out of PS. Case No.-738 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Nitesh Kumar S/o Lorikh Mukhiya R/o Village - Harkaina, PS - Muffasil,
District - East Champaran, Motihari ... Petitioner/s

Versus

The State of Bihar Bihar

... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Suman Kumari Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner as well as

learned A.P.P. on behalf of the State.

2. The petitioner has been made accused for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per the allegations made in the F.I.R, 80 litres of
country made illegal wine have been recovered near the school.

4. Learned counsel for the petitioner submits that he
has not been apprehended from the place of occurrence. His
name was transpired on the basis of the information given by
the Chaukidar. He further submits that the petitioner has got the
clean antecedent and has been languishing in jail custody since
27.05.2026.

5. Learned A.P.P. on behalf of the State has opposed
the prayer for bail of the petitioner.



6. Taking into consideration the aforesaid facts and clean antecedent, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge Court No. 1, Civil Court, East Champaran, Motihari in connection with Muffasil P.S. Case No. 738/2025 subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats the offence of similar nature, his bail bond shall liable to be cancelled by the Court below after following the due process of law.

prachi/-

(Raj Kumar, J)

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