

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20420 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- RIGA District- Sitamarhi

Santosh Kumar @ Santosh Rai S/O Nandkishor Rai R/O Village- Panchhor,
P.S- Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the State : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Riga P.S. Case No. 325 of 2024 dated
20.09.2024, registered for the offences punishable under Section
317(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section
30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, there was recovery of 882 liter
illicit liquor from one vehicle Tata Sumo bearing registration
No. BR-30B-1881, however, occupant of the vehicle had fled
away after seeing the police. As per further allegation, the
accused persons including the petitioner are involved in the
transporting of illicit liquor.

4. Ld. counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this case. He further submits that the vehicle in question does not belong to the petitioner, nor has he anything to do with the alleged offence. He further submits that the whole case is based on suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has nine criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Riga P.S. Case No. 325 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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