

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22039 of 2025

Arising Out of PS. Case No.-240 Year-2019 Thana- RAJAOLI District- Nawada

Rishikesh Kumar Singh @ Rishi Kesh S/O Late Vijay Singh Resident of
Village- Chhatarpur, P.S- Chouparan, District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate
	:	Mr. Rajnish Kumar, Advocate
For the State	:	Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rajauli P.S. Case No. 240 of 2019 for the offence under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, lodged on 02.07.2019 by the informant, Sujay Vidyarthi.

3. As per the prosecution story, the informant alleged that during the patrolling, it saw a Pick-Van coming from the Jharkhand side, intercepted, and there is recovery/seizure of 200.625 liters of English Wine. This led to the F.I.R./arrest and the arrested person gave the name of this petitioner.

4. Learned counsel for the petitioner submits that he has nothing to do with the recovery/seizure, he on hire took the



vehicle from one Sudhir Mishra which was been driven by Raju Thakur and he had no knowledge about the carriage of English Wine in it, the petitioner has no criminal antecedent and if granted relief, he shall be diligently appearing in trial. The last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.10,000/- by Demand Draft issued by the local branch of the State Bank of India for the beautification of the Civil Court Campus, Nawada.

5. Learned APP opposes the prayer for bail submitting that the petitioner has accepted that he has taken the vehicle on hire.

6. Taking into account the aforesaid facts as also that the recovery/seizure is from the Raju Thakur, this petitioner has no criminal antecedent, the F.I.R. is there, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- by Demand Draft issued by the local branch of State Bank of India for the beautification of the Civil Court Campus, Nawada and the receipt has to be submitted before the Trial Court.

7. However, contrary to the statement, if it is found that the petitioner has criminal antecedent, the present order



shall become infructuous.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Court of Exclusive Special Excise Court-2, Nawada, in connection with Rajauli P.S. Case No. 240 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

9. Let a copy of the order be sent to the Principal District and Sessions Judge, Nawada for his perusal and needful.

(Rajiv Roy, J)

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