

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24563 of 2025

Arising Out of PS. Case No.-92 Year-2021 Thana- SINDHIYA District- Samastipur

Ritesh Kumar son of Panchu Mahto village - Madhu Tola ilmasnagar , Police station - Khanpur , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-05-2025 Heard Mr. Mahendra Pratap, learned counsel for the petitioner and the State.

2. The petitioner is apprehending arrest in connection with Singhia P.S. Case No. 92 of 2021 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act lodged on 16.06.2021 by the informant, Krishna Kant Mandal.

3. As per the prosecution story, the informant alleged that he got secret information that co-accused Raju Paswan has kept illicit liquor in the cattle house of his uncle, Bangali Paswan. Accordingly, the place was raided. Though, others managed to escape, one was apprehended. He was Raja Babu Chaupal and from the cattle house of Bangali Paswan, 53.280 liters of foreign liquor recovered/seized.

4. Another raid was conducted in the house of Ram



Babu Sahu and there was recovery of 1581.480 liters of foreign liquor. The co-accused gave the name of Baidhnath Ray as the person who brought the liquor. Then the Shivji Sahu's newly constructed house was raided and there is another recovery of 1953.750 liters of foreign liquor. Thus, altogether 3588.510 liters of foreign liquor recovered/seized. This led to the FIR.

4. Learned counsel for the petitioner submits that he do not have criminal antecedent. Though, the mobile no. XXX XXX 9570 do not belong to him, the said number is the reason behind his implication as the accused have made to believe with the Police that this number belongs to him. He is a student, 21 years of age, ready to abide by the terms and considerations imposed if granted relief and lastly irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.20,000/- to the District Legal Services Authority, Samastipur for the beautification of Civil Court Campus, Samastipur through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that his name has come on the statements of the accused persons.

6. Taking into account the aforesaid facts as also the petitioner is a young boy, no criminal antecedent, the



recovery/seizure is from the houses of the different accused persons, FIR lodged, he shall be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.20,000/- to the District Legal Services Authority, Samastipur for the beautification of Civil Court Campus, Samastipur through Demand Draft issued by the local branch of the State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Singhia P.S. Case No. 92 of 2021 to the satisfaction of learned Exclusive Court of learned Special Judge Excise-I, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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



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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

