

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34476 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- Excise P.S. District- Araria

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Ritesh Kumar Yadav @ Ritesh Yadav@ Ritesh Kumar Son of Subodh Yadav
Resident of village- Bhorhar, Ps- Fulkaha, dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Araria Excise P.S. Case No.83 of 2025 lodged on 09.03.2025 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the total recovery of 54 litres of *nepali* liquor have been alleged to be made from a motorcycle, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner has been falsely implicated in the



present case. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that petitioner is not owner of the said motorcycle. He further submits that petitioner's name has figured in this case only by virtue of suspicion.

5. Learned Counsel further submits that petitioner is in custody since 10.03.2025 having one criminal antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Excise-II, Araria in connection with Araria Excise P.S. Case No.83 of 2025, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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