

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37192 of 2025

Arising Out of PS. Case No.-116 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Ritik Raj @ Shesh Nath Raj @ Ritik Ray Son of Umesh Ray @ Jawahar Rai
Resident of Village -Barta Police Station -Bihiya, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 07-07-2025 Heard learned Counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Section 30(a) of the Bihar and Excise Act.

3. As per the prosecution case, total 95.040 litres of illicit foreign liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the co-accused Raushan Ray @ Harihar Ray has disclosed the name of the petitioner. It is next submitted that the petitioner was neither apprehended from the place of occurrence nor anything has been recovered from his conscious possession. It is next submitted that the petitioner



is not the owner of the said motorcycle. It is also submitted that the petitioner has no concern with the said recovery rather the recovery has been made from an open field which is easily accessible to anyone. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 11.03.2025. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties as well as undertaking given by the petitioner, let the petitioner above-named, be enlarged on bail, on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail-bonds and thereafter on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur, in connection with Arrah Muffasil P.S. Case No. 116 of 2023, subject to the following



conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner have concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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