

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36029 of 2025

Arising Out of PS. Case No.-197 Year-2025 Thana- AKBARPUR District- Nawada

Hritik Kumar @ Patha @ Ritik Kumar Son of Shailendra Singh Resident of
Village - Baksanda, P.S.- Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Akbarpur P.S. Case No. 197 of 2025 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information, the police intercepted a motorcycle and a person was apprehended and on search, 105 liters of country made liquor was recovered from the said motorcycle which was without a registration number.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence



as alleged in the FIR. It has further been submitted that the petitioner is neither the owner nor the driver of the seized motorcycle. No incriminating article has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that the petitioner has a clean antecedent and has been in custody since 20.04.2025.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that no recovery has been made from the conscious possession of the petitioner and the clean antecedent of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Nawada in connection with Akbarpur P.S. Case No. 197 of 2025, subject to following conditions:-

a. One of the bailors of the petitioner shall be his close relative.

b. The petitioner shall remain physically present in Court on each date of the trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the



prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(Sourendra Pandey, J)

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