

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41351 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- WARISLIGANJ District- Nawada

Ritesh Kumar @ Ritesh Verma S/o- Nagendra Prasad Village- Simri Gali
Uttar Bazar W.No-13, Warisaliganj Ps- Warisaliganj Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Sahay, Advocate

Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Md. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 07-08-2025 1. Heard Mr. Brajesh Sahay, learned Advocate appearing on behalf of petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Warisaliganj P.S. Case no.135 of 2025 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. A perusal of F.I.R and seizure list would show a total of 2 liters of beer was recovered from a motorcycle which was found in an abandoned condition.
4. Learned counsel for the petitioner submits that petitioner is not the owner of the seized motorcycle and no recovery has been made from the physical or conscious possession of the petitioner. The name of the petitioner has transpired on the disclosure made by local *chowkidar* who has



inimical terms with the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S and father's name and village name of the petitioner has also incorrectly recorded in the F.I.R. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Warisaliganj P.S. Case no.135 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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