

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56746 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- SAMASTIPUR District- Samastipur

Rishav @ Rishav Kumar S/o Baliram Bhagat @ Balram Bhagat, R/o Village -
Adharpur P. S. - Karpoorigram, Dist. - Samastipur at present near Bhola
Talkies P. S.- Town, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Samastipur (Town P.S. Case No.172 of 2025 instituted
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 2.5
litre illicit beer from the motorcycle bearing Registration No.
BR-33-U-6437. It is alleged that the said motorcycle was driven
by co-accused Rituraj who had been apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to being the owner of the motorcycle. He further
submits that the friend of petitioner, namely, Rituraj who is co-
accused has taken his motorcycle for taking medicine for his
mother who is seriously ill and petitioner had no knowledge



about the fact that his motorcycle was seized by police in Excise case. Learned counsel submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. He further submits that petitioner has no concern with the seized liquor. Learned counsel submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Samastipur in connection with Samastipur (Town) P.S. Case No.172 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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