

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83022 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- TIKAPATTI District- Purnia

Ritesh Kumar @ Ritesh Kumar Yadav S/O Yogeshwar Prasad Yadav R/O Vill
- Gulabbagh Abdullanagar, P.S.- Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Tikapatti PS. Case No. 183 of 2024 dated 22-10-2024, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3.The allegation is of recovery of 30.795 litres of
illicit liquor from the roof of the house of co-accused Navlesh,
situated in Village Simra, Ward No. 06, beside the staircase as
well as from a tin-covered shed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered from the conscious possession of the



petitioner or from his house; rather the alleged illicit liquor was recovered from the roof of the house of co-accused Navlesh Kumar, who disclosed the name of the petitioner and merely on the basis of disclosure made by the said co-accused, the petitioner has been arrayed as an accused in the instant case. Lastly, it is submitted that although a criminal case of a similar nature is pending against the petitioner, he has already been granted bail in that case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. II, Purnea, in Tikapatti PS. Case No. 183 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled



by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

