

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83100 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- RUNNISAIDPUR EXCISE District-
Sitamarhi

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Ritesh Kumar S/O Jagdish Das R/O Village -Kushmari, Ward No. -14 @
Ward No. -14, Kusmari, P.S. - Riga, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the State : Mrs. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Runnisaidpur P.S. Case No. 114 of 2025,
dated 20.08.2025, registered for the offences punishable under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per allegation, in course of patrolling, two
persons sitting in a car started fleeing away after seeing the
police and one of them was apprehended, but another person
was successful to flee away. The apprehended person disclosed
his name as Awadesh Das, who is co-accused in this case, and
after search of the four wheeler vehicle, 79.215 litre of illicit
liquor was recovered from the car and as per confessional



statement of co-accused/Awadesh Das, the petitioner was the person who fled away and the said illicit liquor belongs to him.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not present at the time of occurrence, nor does the illicit liquor belong to him, nor is he owner of the vehicle. He further submits that the petitioner has nothing to do with the alleged offence and except the confessional statement of the co-accused before the police, there is no legally material on record which may connect the petitioner with the alleged offence. He further submits that no *prima facie* case is made out against the petitioner and hence, the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that no *prima facie* case is made out against the petitioner and anticipatory bail is



maintainable, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Runnisaidpur P.S. Case No. 114 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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