

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84452 of 2025

Arising Out of PS. Case No.-789 Year-2023 Thana- MOTIHARI TOWN District- East Cham-
paran

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Ritik Sahani @ Ritik Kumar S/O Bal Bushan Sahani @ Balbhushan Sahani
R/O Mohalla- Belbanwa, P.S.- Motihari, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Town P.S. Case No. 789 of 2023 dated 13.12.2023 registered under Section 25(1-B)a, 26 / 35 of the Arms Act and Section 30(a) , 32, 41(i) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the first information report, a total quantity of 360ml English liquor and ten live cartridges have been recovered from a Scorpio bearing registration no. BR05PB-3111. The Police apprehended two persons namely Priyanshu Yadav and Bittu Kumar while four persons succeeded in fleeing away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case inasmuch



as he has not committed any offence in the manner alleged. The name of the petitioner has surfaced in the confessional statement of the arrested co-accused Priyanshu Yadav and Bittu Kumar. The petitioner is neither the owner nor the driver of the Scorpio vehicle in question. The illicit English liquor has not been recovered from the conscious possessions and / or vehicle belonging to the petitioner. Similarly situated co-accused Rahul Sahani has been granted anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 25601 of 2024. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is neither the owner nor driver of the Scorpio vehicle, illicit liquor has not been recovered from the conscious possession and / or vehicle belonging to the petitioner, similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court and the petitioner has no criminal antecedent, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of



the like amount each to the satisfaction of Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Town P.S. Case No. 789 of 2023 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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