

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8918 of 2026

Arising Out of PS. Case No.-422 Year-2025 Thana- RIVILGANJ District- Saran

Jitesh Kumar Singh Son of Bachchan Singh Resident of Village- Nayka Barka
Baiju Tola, P.S.- Rivilganj, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rivilganj P.S. Case No. 422 of 2025, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution-case, on secret information that petitioner and others are going towards Jajira No. 36 in the village Sitab Diyara for taking illicit liquor for sale, police reached there and on seeing the police all the persons, whose names were revealed on secret information, fled away and 1616.64 litre illicit foreign liquor was recovered from the pick-up van in question.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He further submits that the name of petitioner has transpired in this case on the basis of secret information but the source of secret information has not been divulged in the F.I.R which questions the authenticity of the F.I.R. Petitioner is not the owner of the vehicle in question. He is neither driver nor Khalasi of the said vehicle and he is not, in any way, connected with the alleged place of recovery. Petitioner was not found at the place of occurrence and nothing incriminating has been recovered from the conscious possession of the petitioner. Apart from that, petitioner petitioner is having no criminal antecedent. In this way, no offence as alleged in the F.I.R. is made out against the petitioner

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner is named in the F.I.R. and petitioner cannot escape from the allegations made in the F.I.R.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, petitioner is not the owner of the vehicle in question nor he is driver or khalasi of the said vehicle, petitioner was not found at the place of occurrence and nothing incriminating has been



recovered from the conscious possession of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail-bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-2nd, Saran at Chapra in connection with Rivilganj P.S. Case No. 422 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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