

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15722 of 2026

Arising Out of PS. Case No.-596 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Ritesh Kumar Son of Jawahar Singh Resident of Village- Gyan Chak Karwa,
P.S.- Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Udwant Nagar P.S. Case No. 596 of 2025 registered on 19.12.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, recovery of 35 litres of country-made illicit liquor from the motorcycle of the petitioner is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is submitted that nothing has been recovered from the conscious possession of the petitioner; rather, he has been implicated in the present case solely on the ground that he is the registered owner



of the motorcycle from which the alleged recovery has been made. It is further submitted that on the alleged date of occurrence, i.e., 19.12.2025, a friend of the petitioner, namely Saroj Kumar, had taken the motorcycle on account of urgent need, and the petitioner, in good faith, had handed over the same to him. The petitioner had no knowledge or reason to believe that his motorcycle would be misused for such illegal activities. It is further submitted that the petitioner has a clean criminal antecedent and has no connection whatsoever with the alleged seized liquor, nor is he involved in the business of illicit liquor. The petitioner is a poor person and is working as a daily wage labourer to earn his livelihood, and he has never been involved in any criminal activity.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Excise



Court No. II, Bhojpur, Ara, in connection with the
aforementioned case, subject to the conditions as laid down
under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita,
2023.

7. And further condition that the Trial Court shall
verify the criminal antecedent of the petitioner and in case at
any stage it is found that the petitioner has concealed his
criminal antecedent, the trial Court shall take step for
cancellation of bail bond of the petitioner. However, the
acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Dr. Anshuman, J)

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