

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33432 of 2026

Arising Out of PS. Case No.-1072 Year-2025 Thana- Excise P.S. District- Gaya

Rishu kumar, S/o Krishna Deo Dangi, R/o Village - Peksa, P.S. - Gidhour,
District - Chatra, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

2. Petitioner apprehends his arrest in connection with
Gaya Excise P.S. Case No. 1072 of 2025 registered for the
offences under Sections 30(a) and 32(3) of the Bihar Prohibition
and Excise Act, 2016.

3. The prosecution case is to the effect that during
checking of vehicles, one Swift Dzire car was intercepted and
the driver, on seeing the police, started driving rashly, however,
he was apprehended and who disclosed his name as Priyanshu
Kumar. On search of the vehicle, a total of 114 liters of illegal
beer and foreign liquor were recovered.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated on account of the
disclosure made by the apprehended accused Priyanshu Kumar,



who happens to be the cousin of the petitioner and he had taken the vehicle of the petitioner to go to Ranchi and therefore, the petitioner has no concern whatsoever with the alleged liquor. It has next been submitted that the petitioner has been made an accused merely because he happens to be the owner of the car and there is no specific allegation against the petitioner regarding his involvement in carrying the said illicit liquor. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Gaya Excise P.S. Case No. 1072 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of



B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below 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 court below 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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