

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32127 of 2026

Arising Out of PS. Case No.-57 Year-2026 Thana- NAANPUR District- Sitamarhi

Ritesh Kumar Son of Late Satya Narayan Ray Resident of Village- Gaura,
Ward No. 7, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section
30(A) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 5.345 litres of liquor from grocery shop of the
petitioner.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and no It is next
submitted that no prudent person would use his own business
premises for committing a crime and thus, would create



evidence against himself and hence, would get implicated and at the same time shall bring disrepute to his business. It is further submitted that shop is a place where customers in large numbers come and it might be a possibility that some customer without knowledge of the petitioner concealed meager amount of liquor and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term.

Learned A.P.P. opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Nanpur P. S. Case No.57 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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