

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33583 of 2026

Arising Out of PS. Case No.-119 Year-2026 Thana- MAKER District- Saran

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Rikesh Kumar S/o Anat Rai @ Anath Ray Resident of Village- Bagahi, P.S.-
Panapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K. Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr. Sanjay Kumar S.K, learned counsel for the

petitioner and Mr. Upendra Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.04.2026 in connection with Maker P.S. Case No. 119 of
2026, F.I.R. dated 15.04.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 36.22 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather police have planted
the same and has shown that the recovery has been made from



the conscious possession of the petitioner. The seizure list witnesses are police personnel and there is non-compliance of Sections 103 and 105 of the BNSS. The petitioner is in custody since 16.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge of 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Maker P.S. Case No. 119 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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