

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40101 of 2026**

Arising Out of PS. Case No.-72 Year-2026 Thana- TERHAGACHH District- Kishanganj

Ritesh Kumar Sah @ Ritesh @ Ritesh Kumar, S/o- Hari Prasad Sah, R/o
Village-Chahatpur Ward No 07, P.S - Palasi Distt.- Araria,State- Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms. Kanchan Jha, Advocate Mr. K. Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 22-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Tedhagachh P.S. Case No.72 of 2026 registered under Sections 30(a), 45 of Bihar Prohibition and Excise Act, 2022 (Amended).

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 125 liters of IMFL/country-made liquor from tanker.

4. It is submitted by learned counsel appearing for



the petitioner that the motorcycle in issue which is alleged to be involved in carrying illicit liquor was registered in the name of this petitioner which was given to the neighbor of the petitioner by his mother, while he was not at home, which without knowledge of this petitioner was misused for carrying illicit liquor. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-II), Kishanganj, in connection with Tedhagachh P.S. Case No.72 of 2026, subject to the conditions as laid down under



Section 438(2) of the CrPC/under Section 482(2) of the
BNSS.

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(Chandra Shekhar Jha, J)

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