

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42037 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- BHIMPUR District- Supaul

Rikesh Kumar @ Rikesh Kumar Yadav S/o Lilo Yadav Resident of Village -
Manikpur, Ward No. 11, P.S. - Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Learned counsel for the petitioner seeks permission to make necessary correction in paragraph 4 of the petition which is regarding custody period of the petitioner as he submits that inadvertently instead of the year 2026, year 2024 has been mentioned.

02. Prayer is allowed.

03. Learned counsel for the petitioner is directed to make necessary correction in paragraph 4 of the petition in course of the day.

04. Heard learned counsel for the petitioner and learned APP for the State.

05. In the present case, the petitioner seeks bail in connection with Bhimpur P.S. Case No. 65 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition



and Excise Act.

06. As per prosecution case, the petitioner was apprehended carrying 144 litres of country made Nepali liquor on his motorcycle and his associate, who was driving an other motorcycle, fled away and from the motorcycle of the associate of the petitioner, further recovery of 144 litres of country made Nepali liquor was made.

07. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner and it is a case of false implication. Recovery was not made from the motorcycle of the petitioner rather the recovery was made from the motorcycle of his associate with whom petitioner has no concern. There is complete violation of Section 103(2) of BNSS. The petitioner is having antecedent of one case of similar nature and he is in custody since 30.04.2026.

08. Learned APP opposes the submission made on behalf of the petitioner.

09. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and period of custody of the petitioner, the



petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Supaul/concerned Court in connection with S.T. Excise No. 403 of 2026, arising out of Bhimpur P.S. Case No. 65 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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