

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49085 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- SONBERSA COURT District- Saharsa

Ritesh Kumar, S/O Ramachandra Poddar, R/O Village- Tarabe Ward No. 4, P.
S.- Gamahariya, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Sonbarsa Kachhari P.S. Case No. 51 of 2026, registered for the offences punishable under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act.

3. Learned counsel appearing for the petitioner joins the proceedings through virtual mode and submits that the alleged 87 litres of illicit liquor is said to have been recovered from a Scorpio vehicle bearing Registration No. BR07PB-8440. As per the prosecution case, two persons were apprehended from the said vehicle, who were found sitting inside it. The petitioner has been made an accused mainly on the basis of the disclosure made by the apprehended co-accused. It is not the prosecution's case that the petitioner was found inside the



vehicle when it was intercepted. It is further submitted that the petitioner has no criminal antecedent and the alleged offence under which the FIR has been registered does not even *prima facie* attract against the petitioner. Therefore, his prayer is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions as well as the facts and circumstances of this case coupled with petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Sonbarsa Kachhari P.S. Case No. 51 of 2026 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Shailendra Singh, J)

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