

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50366 of 2026

Arising Out of PS. Case No.-204 Year-2026 Thana- RIGA District- Sitamarhi

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Gaurav Kumar, Son of Nandlal Mahto, Resident of Village - Ufrauliya Tola,
P.S. - Riga, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Riga P.S. Case No. 204 of 2026 registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution, on the alleged date the
informant along with police team received a tip-off regarding a
liquor consignment being unloaded near a bamboo grove in
Rampur Gangauli. The informant was told that six individuals
were using three motorcycles to transport the liquor for sale.
Upon arriving at the site, the police cordoned off the area,
causing the individuals to abandon their motorcycles and
cartons of liquor to flee. The police apprehended two



individuals, Manoj Mahto and Kaushal Kumar, while four others, including the petitioner Gaurav Kumar, escaped into the darkness. The apprehended individuals identified the petitioner as one of the persons who had fled the scene. A search of the site and the abandoned vehicles resulted in the seizure of 1508 bottles total 452.400 liters of Nepali Saufi liquor and three motorcycles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that petitioner is having clean antecedent and nothing to do with the seized consignment and further submits that his name has been added on confessional statement of the co-accused person.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Having heard the parties and taking into account the fact that the petitioner is having clean antecedent, his name has been surfaced on the confessional statement of the co-accused person, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 court concerned, in connection with Riga P.S. Case No. 204 of 2026, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, subject to the following conditions:-

(i) One of the bailors shall be the petitioner's own or close family member.

(ii) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(iii) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(iv) The petitioner shall not commit offence of a similar nature in future.

7. In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Accordingly, the bail application stands allowed.

(Alok Kumar, J)

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