IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80568 of 2026

CNR No. BRHC011173242026

Arising Out of PS. Case No.-178 Year-2026 Thana- DALMIYA NAGAR SAHAYAK District- Rohtas

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Ritesh Kumar S/o Sitaram Singh R/o Village - Hurka, PS - Darihat, District - Rohtas

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Siddharth Harsh, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dalmiyanagar P.S. Case No. 178 of 2026 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. As per the prosecution case, the police has recovered total 40 liters of liquor from two motorcycles bearing Registration Nos. BR 24Z-5034 and BR 24 AJ 8420.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. By referring to the statement made in the

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anticipatory bail petition it is submitted that the recovery of the seized liquor is made from Singholi graveyard which is an open place and the said place is in no way connected with this petitioner. The petitioner has antecedent of one criminal case in which he is on bail and is ready to cooperate with the investigation.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that recovery is not made from conscious possession of the petitioner who is ready to cooperate with the investigation, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/ (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 1, Rohtas at Sasaram in connection with Dalmiyanagar P.S. Case No. 178 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide

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official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

Prakash/-

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