

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11731 of 2025

Arising Out of PS. Case No.-1677 Year-2024 Thana- Excise P.S. District- Patna

Ravi Mahto @ Ravi Kumar Son of Om Prakash Mahto Resident of Village-
Khemnichak, P.S.- Ramkrishna Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Upadhyay
For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-04-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Patna Excise Police Station Case No. 1677 of 2024, dated 17.07.2024, disclosing offence under Sections 30(a)/56(b) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police intercepted one tempo and recovered 45 litres of illicit liquor from the same. Upon enquiry, the tempo driver disclosed that the petitioner had hired the tempo for transportation of some goods and stated that in the back, hardware materials are kept. He further disclosed that the petitioner was ahead of tempo on his motorcycle, acting like a liner.



4. Learned Counsel for the petitioner submits that the name of the petitioner transpired on the basis of disclosure of his name by the tempo driver, from whose tempo, the illicit liquor has been recovered. The illicit liquor has not been recovered from the conscious possession and/or vehicle belonging to the petitioner.
5. On the other hand, learned Additional Public Prosecutor submits that the petitioner is having criminal antecedent and he was acting like a liner and had hired the tempo for transportation of illicit liquor, saying that it was hardware material.
6. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession and/or vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each



to the satisfaction of learned Exclusive Special Excise Court No. III, Patna, in connection with Patna Excise Police Station Case No. 1677 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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