

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23667 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- Excise P.S. District- Siwan

1. Ravi Kumar @ Ravi Kumar Yadav S/o Parma Chaudhari Resident of Village- Balchand Hatta, PS- Siwan Muffasil, District- Siwan
2. Sonu Mishra S/o Balistar Mishra R/o Bhaluhi, P.S.- Barharia, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Siwan Excise P.S. Case No. 64 of 2025 lodged on 18.01.2025, for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioners and owner of a vehicle. Total recovery of 387 litres of illicit liquor has been made which is the subject matter of the present case.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the recovery of alleged liquor has been made from a Swift Car and nothing has been recovered from the petitioners' possession. Counsel submits that name of petitioners has come in this case by virtue of secret information. Counsel further submits that the criminal antecedent of the petitioners are not clean as there is one case each pending against petitioner no.1 and 2 in which both the petitioners are on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the criminal antecedent of the petitioners are not clean and the case pending against petitioner no.1 is registered under IPC and the case pending against petitioner 2 is registered under Excise Act.

6. As such, in the present facts and circumstances of this case, let the above named petitioner no.1 namely, Ravi Kumar @ Ravi Kumar Yadav be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Excise Court-II, Siwan, in



connection with Siwan Excise P.S. Case No. 64 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. So far as bail application of petitioner no.2 namely, Sonu Mishra is concerned, this Court is not inclined to grant bail to him. Accordingly, the prayer for anticipatory bail of the petitioner no.2 is hereby rejected.

(Dr. Anshuman, J)

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