

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33949 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- DHIBRA District- Aurangabad

Ravi Kumar S/o Karm Dev Yadav@ Karam deo Yadav, R/o Village- Yadav,
Bhandari, P.S.- Deo, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Dhibra P.S. Case No. 10 of 2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, Police received information about three persons transporting illicit liquor on their motorcycles. A checking of vehicles was started and on being signalled to stop, all three motorcycle riders started running away. A chase was given, but two of them fled away and co-accused Chhotu Kumar was apprehended. From the motorcycle being driven by Chhotu Kumar a recovery of 18 litres of foreign liquor was made. From the other two



motorcycles, recovery of 300 litres of country made mahua liquor was made. Petitioner is stated to be the owner of the motorcycle being driven by co-accused Chhotu Kumar.

4. Learned counsel for the petitioner submits that the petitioner is falsely implicated in this case merely on the basis of suspicion as he is the owner of one of the motorcycle which was seized with illicit liquor. The petitioner has given his motorcycle in good faith to the co-accused Chhotu Kumar for some household chores and subsequently, it came to the knowledge of the petitioner that Chhotu Kumar was apprehended with the illicit liquor. The petitioner has no involvement in the said occurrence and he has no concern with the seized liquor. Nothing incriminating was recovered from person or possession of the petitioner and no offence under the provision of Bihar Prohibition and Excise Act is made out against the petitioner. The learned counsel lastly submits that the petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and



further considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad, in connection with **Dhibra P.S. Case No. 10 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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