

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34279 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- RAFIGANJ District- Aurangabad

Lallu Ravidas @ Lallu Kumar S/O Dev Nandan Das R/O Village-
Madipur, PS-Rafiganj, Distt-Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrd.Mukul Kumari, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Rafiganj P.S. Case No. 108 of 2025, G.R. No. 131/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 32 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from an open field, which is accessible by general public



and, therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is submitted that petitioner found involved in one more criminal case of similar nature, wherein he is on bail.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-01, Aurangabad, in connection with Rafiganj P.S. Case No. 108 of 2025, G.R. No. 131/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).



(i) That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

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