

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44338 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Ravi Kumar Bishwas @ Ravi Kumar Biswas Son of Shankar Lal Bishwas
Resident of Village- Gehuwan(Kariyat Gahaws Ward No. 5), PS- Jalalgarh,
District- Purnea

... .. Petitioner/sVersus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 231 of 2024 arising out of Kochadhaman P.S. Case
No. 170 of 2024 instituted for the offences under Sections
318(4) of the Bhartiya Nyaya Sanhita, 2023 and Sections 30(a),
36, 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The petitioner has earlier filed anticipatory bail
which was rejected by a Co-ordinate Bench of this Court vide
order dated 19.11.2024 passed in Cr. Misc. No. 76720 of 2024.

4. As per prosecution case, the police has recovered
315 liters of illicit foreign liquor and 300 liters of illicit beer
from the Scorpio. It is alleged that the petitioner fled away



from the spot.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the alleged vehicle or the recovered liquor. The petitioner is also not the owner of the alleged Scorpio. The petitioner has no concern with the seized liquor. The petitioner is alleged to be the driver of the alleged vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has five criminal antecedents and is languishing in judicial custody since 13.05.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 231 of 2024 arising out of Kochadhaman P.S. Case No. 170 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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