

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88348 of 2025**

Arising Out of PS. Case No.-273 Year-2025 Thana- TARAIYA District- Saran

Ravi Kumar S/o Silanath Sah, R/o Vill and P.O. - Taraiya, P.S- Taraiya, Dist- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      23-12-2025                      Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Taraiya P.S. Case No. 273 of 2025 dated 25.09.2025 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 8.640 litres of illicit foreign liquor was recovered from a gunny bag.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern with the alleged recovery. Learned counsel next submits that recovery has been made from an open place which is accessible to one and all. Learned counsel further



submits that there is non-compliance with mandatory procedure prescribed for recovery under Section 100 of Cr.P.C. / Section 103 of BNSS, 2023. Learned counsel next submits that petitioner carries 5 criminal antecedents out of which two are of similar nature and petitioner is on bail in all the said cases. Learned counsel lastly submits that petitioner is in custody since 26.09.2025.

5. Without accepting his guilt, learned counsel for the petitioner chose to deposit Rs. 5,000/- to the Advocate's Association.

6. Learned APP for the State has opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and further considering the fact that recovery has been made from an open place and also taking into account petitioner's period of custody, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 3<sup>rd</sup> Exclusive Special Excise Judge, Saran at Chapra, in connection with **Taraiya P.S. Case No. 273 of 2025**, and on further condition:



*(i) The petitioner will furnish the receipt of the deposit made to the Advocate's Association at the time of furnishing the bail bond, failing which the learned trial Court will be at liberty to cancel the bail bonds of the petitioner.*

**(Ajit Kumar, J)**

Shahnawaz/-

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