

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88267 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- Excise Benipatti District- Madhubani

Rohit Kumar Safi S/o Binod Safi, R/o Vill.- Benipatti, Ward No.17, P.S-
Benipatti, District – Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Benipatti Excise P.S. Case No. 207 of 2025, dated
04.11.2025 for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 486 litres of
illicit Nepali liquor was recovered from three different
motorcycles.

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 further submits that total 486 litres of illicit Nepali liquor has been recovered from three different motorcycles, out of which 162 litres of illicit Nepali liquor has been recovered from a motorcycle which belongs to this petitioner. However, the motorcycle in question was driven by the brother of the petitioner namely, Rahul Kumar Safi, who is the main accused in the present case and who managed to flee from the place of seizure. 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 has one criminal antecedent, which is not akin to the present case and in which he is on bail. Learned counsel lastly submits that petitioner is in custody since 05.11.2025.

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

6. Considering the aforesaid facts and circumstances of the case and further considering period of custody of the petitioner, 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 Exclusive
Special Judge, Excise, Madhubani, in connection with **Benipatti**
Excise P.S. Case No. 207 of 2025.

(Ajit Kumar, J)

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