

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5537 of 2026

Arising Out of PS. Case No.-343 Year-2019 Thana- RIVILGANJ District- Saran

Ramesh Kumar S/O Sri Kanchan Sharma R/o- Mangal Talab, Chik Toli,P.S-
Chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Revilganj P.S. Case No. 343 of 2019, instituted for the offences
punishable under Sections 188, 272, 34 of the Indian Penal
Code, read with Sections 30, 38 and 41 of the Bihar Prohibition
and Excise Act.

3. Earlier, anticipatory bail of the petitioner was
rejected by a co-ordinate Bench of this Court vide order dated
21.02.2025 passed in Cr. Misc. No. 6881 of 2025.

4. The prosecution case, in short, is that 63 liters
liquor was recovered from car.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submitted that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case as being owner of the car in question and he has got no knowledge with regard to the nature of goods carried in the vehicle. The petitioner is in custody since 05.01.2026 and has got three criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Revilganj P.S. Case No. 343 of 2019, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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