

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9782 of 2026

Arising Out of PS. Case No.-447 Year-2020 Thana- RIVILGANJ District- Saran

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Sirki Ray S/o Shankar Ray, Resident of Village- East Daliyawan, P.S.- Nagar,
District- Saran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard learned counsel appearing on behalf of
the petitioner and learned Additional Public Prosecutor
appearing on behalf of the State.

2. The accused/petitioner apprehending his
arrest in connection with Riviliganj P.S. Case No. 447
of 2020 registered for the offences punishable under
Sections 30(a)/41(1) of the Bihar Prohibition and
Excise Act.

3. The allegation against the petitioner is to
be engaged in illegal trading/manufacturing of illicit
liquor, where, there is recovery of 40 litres of
IMFL/Mahua liquor from the motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submitted that the alleged recovered
motorcycle not appears to be connected in any
manner with this petitioner, and as such, it can be



safely said that recovery of alleged illicit liquor not appears to be made from his conscious physical possession. It is submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra/concerned Court, where the case is pending in connection with Riviliganj P.S. Case No. 447 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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