

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22763 of 2026

Arising Out of PS. Case No.-58 Year-2026 Thana- BARUN District- Aurangabad

Ravi Kumar, aged about 34 years, Male, Son of Surendra Yadav, Resident of Village- Chetu Bigha, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Meena Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barun P.S. Case No. 58 of 2026 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total 83.28 litres of different brand country made liquor as well as foreign made liquor has been recovered from a motorcycle bearing Registration No.BR26Z5492 and Wagnor-R bearing Registration No. HR26DP7561.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case. He submits that total 83.28 litres of different brand country made liquor as well as foreign made



liquor has been recovered from a motorcycle bearing Registration No.BR26Z5492 and Wagnor-R bearing Registration No. HR26DP7561. He further submits that petitioner is not the owner nor the driver of the seized vehicle. He next submits that the petitioner has been made accused only on the basis of confessional statement made by the arrested co-accused namely Piyoush Singh and Nikesh Kumar. He lastly submits that neither illicit wine has been recovered from the conscious possession of the petitioner nor from his house. Petitioner has got clean antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned District and Additional Sessions Judge-Cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad dated 16.03.2026, it appears that only on the basis of written report of the informant namely, Karan, Sub-Inspector of Police, FIR has been registered under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 against six co-accused persons including the present petitioner. It appears that petitioner is not arrested at the spot and his name has been



surfaced in this case only on the basis of confessional statement of arrested co-accused namely namely Piyoush Singh and Nikesh Kumar. It also appears that total 83.28 litres of different brand country made liquor as well as foreign made liquor has been recovered from a motorcycle bearing Registration No.BR26Z5492 and Wagnor-R bearing Registration No. HR26DP7561 and both the seized vehicle does not belongs to the present petitioner, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, let the petitioner above named in the event of his arrest or surrender before the trial Court within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-Cum- Exclusive Special Judge Excise Court No. 1, Aurangabad in connection with Barun P.S. Case No. 58 of 2026, subject to the conditions laid down in Section 482(2) of the BNSS.

(Ramesh Chand Malviya, J)

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