

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26204 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- BHORE District- Gopalganj

Ravi Kumar Son of Late Potan Manjhi R/O Village- Khas Bankata, P.S.-
Bhorey, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Suresh Prasad Bhakta, learned counsel for
the petitioner and Mr. Sanjay Kumar Tiwary, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.02.2026 in connection with Bhorey P.S. Case No. 65 of 2026,
F.I.R. dated 09.02.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. Recovery is of 135 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been
recovered from the conscious possession of the petitioner rather



the recovery of 135 liters of country made liquor has been made from the motorcycle in question and petitioner is not the owner of said vehicle in question and he has been made accused in the present case merely on the basis of suspicion. He further submits that from perusal of the seizure list it appears that the seizure list witnesses are the police personnel so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 10.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, nothing has been recovered from his possession and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-XIII-cum-Special Judge-I Excise-I, Gopalganj in connection with Bhorey P.S. Case No. 65 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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