

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37739 of 2026

Arising Out of PS. Case No.-22 Year-2019 Thana- BAKHTIYARPUR District- Patna

=====

Ravi Yadav @ Ravi Kumar S/O Mahesh Yadav R/O Village- Champapur,
P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr.Rajesh Shankar Sinha, Adv.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-07-2026 Heard the parties

2. The petitioners are apprehending his arrest in connection with Bakhtiyarpur P.S. Case No. 22 of 2019 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 15.01.2019 by the informant, Subodh Prasad Singh.

3. As per the prosecution story, the police on secret information raided the houses of Ram Ashish Yadav and Ravi Yadav were searched and while from Ram Ashish Yadav house 10 liters country made liquor recovered and from the house of this petitioner there is a recovery/seizure of 15 liters country made liquor totaling 25 liters country made liquor. This led to



the F.I.R.

4. Learned counsel for the petitioner submits that it is an open house and nothing have been recovered from his conscious possession. Only because, he has one criminal antecedent of the same nature, got implicated. Further submission is that he never got any information about the lodging of the present case which led to the delay in coming to the Court. The last submission is that without accepting the allegation and/or the outcome of the present case, on his own the petitioner intends to contribute Rs.10,000/- to the District Legal Services Authority, Patna for putting up flower pots in the Civil Court Campus, Barh, Patna Judgeship through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank.

5. Further, learned counsel for the petitioner relied on the judgment of the Full Bench of Hon'ble Patna High Court in the case of **Ram Vinay Yadav vs. State of Bihar** reported in **2019 (2) PLJR 1089** wherein it has been held that an application for anticipatory bail in a case arising out of Bihar Excise and Prohibition Act can be maintained, despite the bar under Section 76(2) of the Act, if on the basis of allegation



made in the FIR, no offence under the said provision is made out.

6. Learned APP opposes the prayer submitting that he has criminal antecedent.

7. Taking into account the submissions of the parties and the judgment in the case of **Ram Vinay Yadav (supra)**, as also that nothing has been recovered from his conscious possession, the delay has been narrated, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Patna for putting up flower pots in the Civil Court Campus, Barh, Patna Judgeship through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank and the receipt of the expenditure shall be submitted to the Trial Court by the DLSA, Patna.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise, Patna in connection with Bakhtiyarpur P.S. Case No. 22 of 2019 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



8. A copy of the order be sent to the Principal District and Sessions Judge, Patna for his/her perusal and needful.

(Rajiv Roy, J)

munindra/-

U			
---	--	--	--

