

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43707 of 2026

Arising Out of PS. Case No.-243 Year-2025 Thana- SITAMARHI District- Sitamarhi

Ratnesh Kumar @ Ratnesh Paswan S/O Late Bachchu Paswan R/O Village-
Bhupbhairo, P.S.- Sitamarhi, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 317(5) of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases under the Excise Act and is in custody since 26.05.2026 and allegation is of recovery of 738 liters of liquor from a Scorpio vehicle.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and came to be implicated based on confessional statement of Aditya in police custody which does



not have any evidentiary value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the period of custody, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Sitamarhi P.S. Case No. 243 of 2025.

(Satyavrat Verma, J)

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