

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44025 of 2026

Arising Out of PS. Case No.-145 Year-2026 Thana- SHERGHATI District- Gaya

Ram Ranvijay Kumar Son of Prabhu Singh Resident of Mohalla - Magadh Colony, Road No. - 11, P.S. - Magadh Medical, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sherghati P.S. Case No. 145/2026, registered for the offences punishable under Sections 30(a), 37 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The police in course of vehicle checking, intercepted a Maruti Suzuki Alto car bearing registration no. BR02S 8575 and apprehended five persons who were sitting in the car in an intoxicated position. In course of such, two liters Indian made foreign liquor was also recovered from the vehicle.

4. Learned Advocate for the petitioner submitted that the petitioner was not even named in the FIR and only on account of he being shown as owner of the vehicle in question, his name has been implicated in this case. In fact the vehicle in



question has already been sold to one Gyanendra Bibhuti on 16.02.2026 itself; the photocopy of deed of agreement is placed on record as Annexure P/2. It is further contended that the petitioner has never been involved in any such activities and he carries a fair antecedent. Since there is no cogent material which suggest the complicity of the petitioner in the crime nor any recovery has been made in the conscious or constructive possession of the petitioner and, as such, the rigors provided under Section 76(2) of the Bihar Prohibition and Excise (Amendment) Act would not be applicable in the case.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the use of the vehicle of the petitioner in crime, clearly suggests his involvement.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated by virtue of he being owner of the car, which had already been transferred to one Gyanendra Bibhuti and the deed of the agreement has already been placed on record, besides the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four



weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 5, Gaya in connection with Sherghati P.S. Case No. 145/2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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