

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51166 of 2026

Arising Out of PS. Case No.-56 Year-2026 Thana- KISHANPUR District- Supaul

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Ravi Kumar S/o Barun Yadav Resident of Village - Singiawan Ward No. 05,
P.S - Kishunpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Patla Kumari, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Kishunpur P.S. Case No.56 of 2026 registered for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is of storage of illicit liquor in his poultry farm. Acting on the said information, the police conducted raid at the alleged place of occurrence and found two persons, who were standing near a motorcycle adjacent to the poultry farm, fled away upon noticing the police. During the course of search, a total of 4.545 litres of illicit liquor was recovered from the motorcycle left by the fleeing accused persons.



4. Learned Advocate for the petitioner submitted that the petitioner has been implicated in the present case merely because he happens to be the owner of the poultry farm. It is contended that no illicit liquor was recovered either from the poultry farm or from the conscious possession of the petitioner. The petitioner has neither any connection with the motorcycle from which the alleged recovery was effected nor with the recovered contraband. It is further argued that the petitioner's implication is founded solely on suspicion arising from his previous criminal antecedent of a similar nature, as disclosed in paragraph 3 of the bail application. There is no compliance of Sections 103 and 105 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is, therefore, contended that the prosecution has failed to bring on record sufficient material attracting the rigours provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, so as to deny the petitioner the privilege of anticipatory bail.

5. On the other hand, learned Advocate for the State opposed the prayer for anticipatory bail.

6. Regard being had to the submissions advanced on behalf of the parties and considering the fact that the alleged recovery was effected from a motorcycle which, prima facie,



does not belong to the petitioner, and no recovery has been made either from the poultry farm or from the conscious possession of the petitioner, besides there is no compliance of Sections 103 and 105 of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as the absence of any cogent material attracting the rigours provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Supaul in connection with Kishunpur P.S. Case No.56 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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