

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3558 of 2025

Arising Out of PS. Case No.-610 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

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Vinay Kumar S/o Moti Singh Resident of Village- Sarosher, P.O.- Khuduru,
P.S.- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 02-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sasaram Muffsil P.S. Case no.610 of 2022 registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2016.

3. As per the prosecution case, 900 ml of foreign
liquor was recovered from a motorcycle which was driven by
accused Gobind Upadhyay and Deepak Kumar.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is only
for the reason that he happens to be the registered owner of the
seized motorcycle. No recovery has been made from the conscious



possession of the petitioner. Learned counsel for the petitioner, by way of supplementary affidavit which is taken on record, submits that the petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Sasaram Muffsil P.S. Case no.610 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2-cum-Addl. District and Sessions Judge, Rohtas at Sasaram, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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