

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5773 of 2025

Arising Out of PS. Case No.-164 Year-2024 Thana- BATHNAHA District- Sitamarhi

Vicky Kumar Son of Late Bachchu Paswan Resident of Village -Bhup
Bhairav @ Bhoop Bhairo, P.S. - Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 08-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bathnaha P.S. Case no.164 of 2024 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states
that on seeing police personnel accused tried to mangle to escape
but one of them was apprehended at the spot who disclosed his
name as Ramprit Mahto. On search, a total of 747 liters of
nepali liquor is said to have been recovered from a Xylo Car
bearing Registration No. BR01PA4796.

4. Learned counsel for the petitioner submits the
petitioner has been falsely implicated in the case. The name of
the petitioner has transpired on the confessional statement of
apprehended accused Ramprit Mahto made before police which



has no evidentiary value. No recovery has been made from physical or conscious possession of the petitioner. 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 by stating that the petitioner has been made accused in four cases. In response, learned counsel for the petitioner submits that the petitioner is on bail on the said case.

6. In view of the aforesaid facts of the case, 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 Bathnaha P.S. Case no.164 of 2024 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-I, Sitamarhi, 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 and subject to the further condition that :-

(I) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the



submission of the charge-sheet.

(II) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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