

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8377 of 2025

Arising Out of PS. Case No.-2797 Year-2024 Thana- Excise P.S. District- Patna

Vinod Rai @ Vinod Roy S/O Late Jawahir Ray R/O Village- Hulasi Tola, P.S-
Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the counter-affidavit filed by the
State.

2. The petitioner seeks bail in connection with Patna
Excise P.S. Case No. 2797 of 2024 instituted for the offences
under Sections 30(a), 30(g), 32 and 56(6) of the Bihar
Prohibition and Excise Act.

3. Prosecution allegation, in short, is that the total 880
litres of Wiscof syrup has been recovered in this case from the
pickup van.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel further submits that the petitioner



is the driver of the alleged pickup from which the recovery has been made and he had no concern with the alleged recovery. The petitioner is in custody since 11.12.2024 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that he has filed the counter-affidavit in the matter regarding the lodging of the present case under the provision of Bihar Prohibition and Excise Act instead of NDPS Act. Learned APP further submitted that even as per NDPS Act, recovered contraband is above the commercial quantity and there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and there being recovery of huge amount of contraband, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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