

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10774 of 2025

Arising Out of PS. Case No.-918 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Vivekanand Upadhyay Son of Angad Upadhyay Resident of Village - Dubey
Ke Saraiya, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-03-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise Case No. 918 of 2024 registered for offences under Sections 30(a), 32(i) & (iii), 41(i) (ii) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, total 110.640 litres of illicit liquor has been recovered from the vehicle. Petitioner is the owner of the vehicle from which the illicit liquor has been recovered.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that the car was given to co-accused Jaiki Yadav for transporting patient and Jaiki Yadav has misused the vehicle.

5. Learned APP for the State has opposed the prayer



for anticipatory bail.

6. Considering the aforesaid circumstances, this application for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above-named, in the event of his arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise II, Kaimur at Bhabua /concerned court below in connection with Excise Case No. 918 of 2024, subject to the conditions as laid down under Section 482 of the Code of Criminal Procedure.

8. Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bonds of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bonds shall not be accepted by the court below.

(Sandeep Kumar, J)

Ranjeet/-

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