

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13411 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- GHANSHYAMPUR District- Darbhanga

Vikash Kumar Sharma Son of Yoganand Sharma Resident of Village - Jaidev
Patti, P.S. - Ghanshyampur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending arrest in connection with Ghanshyampur P.S. Case No. 348 of 2024, lodged on 24.11.2024, under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 513 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is not named in the FIR and nothing has been recovered from the possession of the



petitioner. Counsel further submits that the petitioner has falsely been implicated in this case. Counsel also submits that the criminal antecedent of the petitioner is not clean, there is one criminal case pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedents of the petitioner is not clean. Counsel further submits that the petitioner is the owner of the said seized vehicle from which the illicit liquor was recovered.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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