

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16049 of 2025

Arising Out of PS. Case No.-392 Year-2023 Thana- Excise P.S. District- Madhepura

Vipin Kumar @ Vikki Yadav @ Vipin Yadav Son of Mahadev Yadav Resident
of Village - Tamaut Parsa Ward No.12, P.S. - Murliganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Madhepura P.S Excise Case No. 392 of 2023 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 8 litre illicit liquor has been recovered from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has two criminal antecedents except this case. He also submits that petitioner is innocent and he has not committed any



offence. He has been falsely been implicated in this case.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may affect the investigation of this case.

6. From perusal of the F.I.R. and impugned order, it appears that petitioner is named in F.I.R and petitioner has two criminal antecedents of same nature. *Prima facie*, it appears involvement of the petitioner in this case. Moreover, Section 76(2) of the Bihar Excise and Prohibition Act prohibits the anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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