

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21009 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- TARIYANI CHAPRA PS District- Sheohar

Vicky Kumar Son of Late Baiju Mahto Resident of Village - Tariyani
Chhapra, P.S. - Tariyani Chhapra, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Tariyani Chhapra P.S. Case No. 05 of 2025, lodged on 24.01.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of two liters of country made liquor in a sprite bottle near the house of Vicky has been the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Counsel submits that antecedent of the petitioner is not clean. Counsel submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that antecedent of the petitioner is not clean. There is one criminal case of identical nature is pending against the petitioner.

6. Considering the criminal antecedent of the petitioner, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered on the same day without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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