

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22873 of 2025

Arising Out of PS. Case No.-361 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Bipin Singh @ Bipin Kumar Singh @ Vipin Singh S/O Bhola Singh Resident
of Village- Dumri Kalan, P.S.- Majorganj, Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Majorganj P.S. Case No. 361 of 2024 registered for the offences punishable under Sections 317(5) of Bhartiya Nyay Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 35.400 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner transpired in this case on the basis of apprehended co-accused person



namely, Manoj Kumar. It is pointed out that as per seizure list, recovery of illicit liquor not appears to be made from physical possession of this petitioner and mere on the basis of suspicion arising out of his criminal antecedent as he found involved in two more criminal cases of similar nature, he was implicated with the present case without having any materials against him.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Sitamarhi in connection with Majorganj P.S. Case No. 361 of 2024, subject to the conditions as laid down under Section 438(2) of the



Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita (in short “B.N.S.S.”).

(i) That petitioner shall not indulge in similar
nature of case till the conclusion of trial, failing
which the State shall be at liberty to move
before the Trial Court itself for the cancellation
of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

Rajeev/-

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