

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26320 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- RIGA District- Sitamarhi

Vicky Kumar Singh @ Vicky Kumar @ Manash Kumar S/o Shankar Singh @
Shankar Prasad Singh R/o Village- Sherwa Tola Riga (Lachka), Ward No 10,
P.S.- Riga, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Riga P.S. Case No. 54 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, altogether 180 litre Nepali Saufi liquor was recovered from three sacks (recovered from heap of straw) and Bajaj Pulsar motorcycle in question. Co-accused Dharamveer Paswan and Manish Kumar were apprehended on the spot and they disclosed that the said liquor belonged to the petitioner.

4. Learned counsel for the petitioner orally submits



that petitioner is not the owner of either alleged heap of straw or Bajaj Pulsar motorcycle in question from where the recovery has been made. He further submits that from perusal of the seizure list, it appears that the alleged recovery has been made beside the *khatal* of the Shankar Singh and the petitioner has no concern with the alleged place of recovery in any way. Petitioner was not found at the place of occurrence. Except disclosure of the said apprehended co-accused, there is nothing on record to demonstrate the complicity of the petitioner with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that just because of having criminal antecedents, he has falsely roped in this case. Petitioner bears criminal antecedent of two cases out of which he is on bail in one case and in Puranahiya P.S. Case No. 87 of 2015 he got acquittal. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking



into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court – I, Sitamarhi in connection with Riga P.S. Case No. 54 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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