

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33723 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- EXCISE HILSA District- Nalanda

VIVEK VISHAL S/O Sideshwar Prasad Resident of village- Kharjama P.S.-
Ekangersarai, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Excise (Hilsa) P.S. Case No. 53 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 13.03.2025 by the informant, Supriya Kumari.

3. As per the prosecution story, the informant alleged that on secret information, it reached the house of Prabhat Ranjan and recovered/seized 12.750 liters of foreign liquor. The locals gave the name of this petitioner who resides as a tenant and sells liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly the recovery/seizure is from the house of Prabhat Ranjan and only because he has criminal antecedent, got implicated.



5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the fact that he does not own the house, the locals have named him, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Excise (Hilsa) P.S. Case No. 53 of 2025 to the satisfaction of learned Special Judge Excise-II, Biharsharif (Nalanda)/concerned Court subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next one year to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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