

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31991 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- GORAUL District- Vaishali

Vipin Kumar S/o Talewar @ Talewar Singh Permanent R/o House No. 219,
Lila Ka Nagla, P.S.- Chhatari, District- Bulandshahar, Presently R/o Village-
Sherpur Pisava, P.S.- Gabhana, District- Aligarh (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Goraul P.S. Case No. 368 of 2024 instituted for the
offences punishable under Sections 30(a), 32(ii), 41(i) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3870
litres of illicit liquor was recovered from the truck bearing
Regd. No. UP81ET9003.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is the owner of the alleged truck. Charge-sheet has been submitted in this case. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that the co-accused has already been granted bail by this Court vide order dated 10.01.2025 passed in Cr. Misc. No. 1285 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, this Court does fit if apposite to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail is, accordingly, *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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