

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32591 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- BALIGAON District- Vaishali

Golu Kumar @ Vikesh Kumar S/o Manoj Rai R/o Village- Champapur, P.S.-
Baligaon, Distt.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suruchi Anand

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Baligaon P.S. Case No. 16 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, 235.8 litre illicit foreign liquor was recovered from *Bhuskar* of petitioner and local people disclosed the name of petitioner and other who fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Learned counsel orally



submits that alleged recovery has been made from *Bhuskar* of the petitioner which is an open place and same is accessible to all and petitioner cannot be held responsible for the alleged recovery. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner was not found on the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act. It has been orally submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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, keeping in view clean antecedent of the petitioner, 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-1-cum Additional Sessions Judge, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 16 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

