

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41945 of 2025

Arising Out of PS. Case No.-337 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Vikash Kumar @ Vikash Kumar Mahto S/o Raj Kumar Mahto, R/o Village-
Raghundanapur, P.S.- Fulwariya, Distt. Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate.
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.337 of 2021 instituted under Sections
30(a), 32(3), 32(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
415.440 liter foreign liquor from the Creta Car bearing
Registration No. UP-80-DW-9999 and the driver with one co-
accused person were arrested. It is alleged that the apprehended
person disclosed that the said car loaded with liquor was given
by the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case only on the basis of disclosure statement made by the co-accused that the petitioner had provided the said vehicle. He further submits that petitioner is neither driver nor owner of the seized car. Learned counsel submits that the petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. He further submits that petitioner has no concern either with the seized Creta car or with the seized liquor. Learned counsel submits that petitioner has two criminal antecedents, out of which one belongs to the Excise Act, and he is on bail in both the cases and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV-cum-Exclusive Special Excise Court No.II, Gopalganj in connection with Excise P.S. Case No.337 of 2021, subject to the



conditions as laid down under Section 482(2) of the Bharatiya
Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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