

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41312 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- NAYAGAON District- Begusarai

Vinay Singh @ Vinay Kumar S/o Hardev Singh Resident of vill- Hanspur,
P.S- Nayagaon, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Nayagaon P.S. Case No. 32 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information that petitioner is involved in business of selling illicit liquor and has kept illicit country made liquor beside the the Pokhar in Hanspur village, police reached at the place of occurrence. On seeing police one person managed to flee away. 5 liter illicit liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the first information report and he has been falsely implicated in this case. The F.I.R. does not disclose as to who has pointed out the name of the petitioner, which questions the authenticity of the prosecution case. Petitioner was not found at the place of occurrence. Place of recovery does not belong to the petitioner. Seizure list has not been made as per law and the same is in complete violation of section 103 B.N.S.S. No incriminating article has been recovered from possession of the petitioner. Petitioner bears no criminal antecedent. 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 vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Exclusive Special Excise Judge I, Begusarai in connection with Nayagaon P.S. Case No. 32 of 2025, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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