

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41333 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- ASHOK PAPER MILL District-
Darbhanga

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Vinit Kumar @ Vinit Vatsa S/o Raman Kumar Singh Resident of Village- Jim
Coaching, Lehariasarai, Near Tower Hotel Ekmi, Police Station- Lehariasarai,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Ashok Paper Mill (APM) P.S Case No. 116 of
2024 registered for the offence punishable under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, house of one Jitendera
Sahani was raided and altogether 1188.750 litres of illicit
foreign liquor was recovered from the house of Jitendra Sahani.
It is further alleged that the said Jitendra Sahani was
apprehended and he disclosed the name of his accomplice as
Vinit Kumar (petitioner), Gopal Pandey, Raushan Paswan,



Sanjay Sah and Navin Choudhary.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner and admittedly the place from where the recovery has been made does not belong to the petitioner. It is also submitted by learned counsel for the petitioner that the confessional statement does not have any evidenciary value. It is next submitted by learned counsel for the petitioner that the petitioner has one criminal case of similar nature. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 10,000/- in the account of Advocate Association of the Patna High Court.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and the undertaking given by the petitioner and also taking into account the fact that no recovery has been made from his conscious possession, in the event of his arrest/surrender within a period of four weeks from today, be enlarged 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 the learned court concerned, Darbhanga, in connection with Ashok Paper Mill (APM) P.S Case No. 116 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.) and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If any subsequent case of similar nature is lodged against the petitioner, the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.

(v) And further condition that the court below shall verify the criminal antecedent



of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Darbhanga within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. Accordingly, the present application stands



allowed.

(Sourendra Pandey, J)

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