

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45015 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- EXCISE MAHUWA District- Vaishali

Vikash Kumar, S/O Motilal Sah Resident of Village- Agrail Khurd, Ward No, 05, P.S.- Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Mahua Excise P.S. Case No. 101 of 2025 for the offence registered under Section 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 2100 litres of foreign liquor was recovered from the temporary constructed cattle shed (*bathan*) of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has no concern with the seized liquor. There is no incriminating article recovered from the conscious possession of the petitioner. Petitioner was not present at the place of occurrence. Recovery was made from an abandoned condition



hut accessible to anyone. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to cooperate in the investigation of this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court, Hajipur, Vaishali where the case is pending in connection with Mahua Excise P.S. Case No. 101 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S, with further condition that :-

(i). The petitioner is directed to co-operate in the investigation and trial of this case and he shall remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(Sunil Dutta Mishra, J)

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