

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51678 of 2025**

Arising Out of PS. Case No.-379 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Vijay Kumar @ Vijay Yadav @ Vijay Shankar Yadav S/o Late Shoba Yadav  
Resident of vill- Khirzipur, PS- Karanda, Dist- Ghazipur (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Kumari Anupam, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      11-08-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with  
Durgawati P.S. Case No. 379 of 2024 registered for the offences  
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the patrolling party  
intercepted a scooty on secret information and the person who  
was driving the same managed to flee and on search total 17.80  
liters of illegal liquor was recovered.

4. Learned counsel for the petitioner submit that the  
petitioner is innocent and has falsely been implicated in the  
instant case. Further submission is that no recovery has been  
made either from his possession or from his house. It is next  
submitted that only because the petitioner is the owner of the



said scooty he is named in the FIR, however he has no concern whatsoever with the recovered liquor. Petitioner has no criminal antecedent.

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

**6.** Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Durgawati P.S. Case No. 379 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

**(i)** One of the bailors of the petitioner shall be his close relative.

**(ii)** The petitioner shall remain physically present in Court on each date of the trial.

**(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 cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

**(Sourendra Pandey, J)**

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