

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52273 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Vijay Yadav @ Vijay Kumar Singh S/O Brahmdev Yadav @ Brahadev Singh
R/O Village- Behra, P.S- Udwantnagar, Distt.- Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Udwantnagar P.S. Case No. 287 of 2025, dated 09.06.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Exclusive Special Excise Court No. 2nd, Bhojpur at Ara.

3. As per the prosecution, total recovery of 20 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing was recovered from the possession of the petitioner. He further submits that the petitioner's name has figured in this case by virtue of the secret information. Additonally, he submits that the criminal antecedent of the



petitioner is not clean, as two criminal cases are pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there are two criminal cases pending against the petitioner, and those cases also pertain to the Excise Act.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case, considering whether the provisions of the Bihar Prohibition and Excise (Amendment) Act are attracted in this case.

(Dr. Anshuman, J.)

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