

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53061 of 2025

Arising Out of PS. Case No.-20 Year-2024 Thana- MIRGANJ District- Gopalganj

Prince Kumar Singh @ Prince Rai S/o Ashwani Kumar Ray R/o Vill- Pipra,
P.S.- Nautan, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyanka Kumari, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Mirganj PS Case No. 20 of 2024 instituted for the offences
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 360
litres of liquor was recovered from the car.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of



confessional statement of co-accused, namely, Vishal Kumar Chauhan, who has been enlarged on regular bail by this Court vide order dated 23.03.2024, passed in Cr. Misc. No. 23274 of 2024. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has eight criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is feverently contended that petitioner bears eight criminal antecedents, which are mostly of Excise Act.

6. Considering the aforesaid facts and circumstances of the case and specifically taking into account eight criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court



below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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