

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52319 of 2025**

Arising Out of PS. Case No.-9 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation is of recovery of total of 602.130 litres of Indian made foreign liquor from the SCORPIO vehicle.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on the basis of a secret information. However, the petitioner is neither the owner nor the driver of the seized vehicle. It is next submitted that



there is no recovery from the physical and conscious possession of the petitioner. Further, there is no independent witness to the seizure list which amounts to violation of the mandatory provisions of search and seizure. It has also been submitted that other similarly situated co-accused persons have already been granted the privilege of anticipatory bail including the owner of the seized vehicle.

5. Learned APP, however, opposes the grant of anticipatory bail on the ground that petitioner has got eight criminal antecedents out of which at least four cases are of similar nature. In response to the same, it has been submitted that the petitioner is on bail in all the cases and it is on account of his criminal antecedent he has been made accused in the present case.

6. Considering the facts and circumstances of the case and also taking into consideration the fact that other co-accused persons including Ansh Tyagi the owner of the seized vehicle have already been granted the privilege of anticipatory bail, and there is no recovery from the conscious and physical possession of the petitioner, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory



bail in connection with **Siwan Muffasil P.S. Case No. 09 of 2025** 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 below, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023, along with following conditions:-

(i) The petitioner shall cooperate in the investigation by appearing before the I.O. as and when required.

(ii) One of the bailors will be a family member/close relative.

(iii) The court below shall verify the criminal antecedent of the petitioner which would be done expeditiously preferably within a period of two weeks.

(Soni Shrivastava, J)

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