

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55357 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- TAJPUR District- Samastipur

Vipin Kumar @ Virendra Kumar, aged about 26 years, Gender-Male, S/o Sajjan Das, RO Village - Ilmasnagar Raini, P.S. - Khanpur, District - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Tajpur P.S. Case No. 88 of 2025 dated 09.06.2025 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, 673.5 litres of illicit foreign liquor was recovered from the Scorpio vehicle and 295.89 litres of illicit foreign liquor was recovered from the Bolero vehicle i.e., total 969.39 litres of foreign liquor was recovered from the aforesaid two vehicles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner was not arrested on the spot. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in the present case only on the basis of the confessional statement of Bishwanath Kumar who is the driver of the seized Scorpio vehicle from which 673.5 litres of illicit foreign liquor was recovered. The petitioner is neither the owner nor the driver of the Scorpio and Bolero vehicles. The petitioner has neither concern with the seized illicit liquor nor with the apprehended co-accused person, namely, Bishwanath Kumar. It is further submitted that except the confessional statement of the apprehended co-accused person, Bishwanath Kumar, there is nothing on record to suggest the implication of the petitioner in the present case. It is further submitted that the other co-accused person, namely, Lalbabu Mahto @ Lal Babu Mahto, has already been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 52199 of 2025 vide order dated 08.08.2025. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioner, the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court-II, Samastipur in connection with Tajpur P.S. Case No. 88 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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