

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52695 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- MOTIPUR District- Muzaffarpur

Vikash Kumar S/o- Raju Ray Village- Sandha Dambar Ps- Motipur Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Akanksha Ranjan, Advocate Mr.Santosh Kumar, Advocate
For the Opposite Party/s :		Mr.Md. Shakir Ahmad, APP

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 317(5) of the BNS Act and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation is of recovery of 63.900 litres of foreign liquor from a car bearing registration no.BR 06 CP 7528 and a mobile phone was also recovered from the accused who was arrested on the spot and would reveal his name as Mintu Kumar.

4. Learned counsel for the petitioner submits that there is no recovery from the physical and conscious possession of the



petitioner. The name of the petitioner has surfaced in this case on the basis of confessional statement of the co-accused. Petitioner is not the owner of the seized vehicle and similarly situated co-accused person Amlesh Rai has already been granted the privilege of anticipatory bail vide order dated 14.05.2025 passed in Criminal Miscellaneous No. 14135 of 2025.

5. Considering the facts and circumstances of the case and also considering that co-accused has already been granted the privilege of anticipatory bail, let the petitioner above named having no criminal antecedent, 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 **Motipur P.S. Case No. 05 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.

(Soni Shrivastava, J)

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