

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55196 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- Excise Benipatti District- Madhubani

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Vikee Kumar @ Vikki Mukhiya @ Vikki Sahni @ Vikee Mukhiya @ Vikee Sahni, son of Ramdev Mukhiya, Resident of Village-Manpur, P.S.-Benipatti, District -Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
216 litres of *Nepali* country made wine from the north east side
at some distance from the house of the accused. It is alleged that
the petitioner fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case
due to sheer of police mechanism and maneuvering. Further
submission is that the petitioner was not present at the place of
occurrence. Petitioner has no concern with the seized illicit



liquor or the place of occurrence. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery is from open place accessible to all. There is no proper compliance of Section 103 of B.N.S.S. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court, Madhubani, in connection with Benipatti Excise P.S. Case No. 99 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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