

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55690 of 2025

Arising Out of PS. Case No.-321 Year-2023 Thana- JAYNAGAR District- Madhubani

Vikas Mishra S/o Pramod Mishra, R/o Village- Gulma, P.S.- Ghanshyampur,
District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jaynagar P.S. Case No.321 of 2023 instituted under Sections 272, 273, 414 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 1476 liter Nepali country made liquor and two motorcycles bearing Registration No. BR-07-AJ-3229 and BR-32-RB-2322 from the Mango Orchard of Kuadh Village and it is alleged that the petitioner alongwith other co-accused persons fled away from the spot after seeing the police team.

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



case being the owner of one of the motorcycles. He further submits that petitioner has no concern with the alleged recovered liquor. Learned counsel submits that no recovery has been made from the seized motorcycle of petitioner, rather the recovery of illicit liquor has been made from Mango Orchard which is an open place and he has no concern with the said place. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel submits that seizure list has not been prepared in accordance with mandatory provisions of law. He further submits that petitioner has no criminal antecedent and he 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 aforesaid 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 Jaynagar P.S. Case No.321 of 2023, subject to



the conditions as laid down under Section 482(2) of the
Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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