

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60490 of 2025

Arising Out of PS. Case No.-307 Year-2025 Thana- SARAIYA District- Muzaffarpur

Vickky Kumar S/o Arun Ray R/o Village- Anirudh Belsar (Rampur), P.S.-
Belsar, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Saraiya P.S. Case No. 307 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 180 litre foreign liquor was recovered from the tempo in question and apprehended co-accused Abhishek Kumar disclosed the name of petitioner and others.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that



petitioner is neither owner nor driver of the tempo in question. Except disclosure of apprehended co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Muzaffarpur in connection with Saraiya P.S. Case No. 307 of 2025, subject to the conditions as laid down



under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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