

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63793 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- JAYNAGAR District- Madhubani

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Vinay Kumar @ Vinay Yadav @ Vinay Kumar Yadav S/o Shiv Sharan Yadav
R/o Village- Ward No. 7 Baira, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jaynagar P.S. Case No. 129 of 2025 under Sections 274/275/317(5) of the BNS and Section 3(a) of the Bihar Prohibition and Excise Amendment Act lodged on 17.04.2025 by the informant, Mithlesh Kumar Rahi.

3. As per the prosecution story, the police upon secret information intercepted a Scorpio and there is recovery/seizure of 900 litres of Nepali liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that neither he has criminal antecedent nor has anything to do with the seized vehicle and only due to the enmity with the local people, the petitioner has been named.

5. Learned APP opposes the prayer submitting that the



local people have named this petitioner.

6. Taking into account the submissions of the parties as also that petitioner is not the owner of the seized vehicle, petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge (Excise Court), Madhubani in connection with Jaynagar P.S. Case No. 129 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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