

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65428 of 2025

Arising Out of PS. Case No.-271 Year-2024 Thana- MAKER District- Saran

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1. Bikki Kumar @ Vikki Kumar S/o Upendra Manjhi R/o - Haijalpur, P.S - Mekar, District - Saran
 2. Vipul Kumar @ Bipul Kumar S/o Shyam Dev Manjhi R/o - Haijalpur, P.S - Mekar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyadarshi Pankaj Raj Anand
For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Mekar P.S. Case No. 271/2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 20 liters country made liquor from the motorcycle in question. Local villagers disclosed the name of the petitioners who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as



alleged in the FIR. The name of local villagers have not been disclosed, which questions the authenticity of the FIR. Except disclosure of local villagers, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioners have falsely been implicated in this case due to local politics. The petitioners bear no criminal antecedent. The petitioners were not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioners. The petitioners have no concern with the seized liquor. The petitioners are not the owner of the said motorcycle. The petitioners are not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of 3rd Special Judge Excise, Chapra in connection with Mekar P.S. Case No. 271/2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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