

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67963 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

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Vinay Mistry @ Vinay Vishwkarma @ Vinay Mistri, S/o- Ram Vilas Mistry,
Village- Chandi Asthan, PS-Amas, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise Sherghati P.S. Case No. 180 of 2025, instituted under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 37.125 litres foreign liquor recovered from the motorcycle of the petitioner which was being driven by Chandan Noniya and Sanny Kumar who were apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being the owner of the seized motorcycle. Petitioner was not present on the spot. No incriminating material has been



recovered from his possession. He has no concern with the seized liquor. It is further submitted that petitioner’s son along with friends had taken away the motorcycle of the petitioner. Petitioner had no knowledge about the misuse of the said motorcycle. Petitioner has no criminal antecedent. He undertakes to co- operate in the investigation and trial.

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

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, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Gaya, in connection with Excise Sherghati P.S. Case No. 180 of 2025, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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