

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73015 of 2025

Arising Out of PS. Case No.-399 Year-2020 Thana- UCHKAGAON District- Gopalganj

Vikram Yadav @ Bikram Yadav @ Vikrm S/O Banta Yadav R/O Vill.-
Motipur, P.S.-Thakraha, District-West Champaran. At Present- Ramkuhi
Road, Ajad Nagar, Ward No.10, P.S.- Sewarahi, District- Kushinagar State-
U.P. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 16-10-2025

Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in a case registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the FIR, the police seized 16.800 liters of illicit liquor from a sack loaded on a motorcycle of which the petitioner is the owner.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case only on the basis that he is the owner of the seized motorcycle. As a matter of fact, the said motorcycle was sold to one Charandip Singh @ Bholu Singh, but the legal formalities were not completed, therefore, the petitioner's name has been roped in the instant case. It is further submitted that there is no recovery from the conscious possession of the petitioner. There is



also no independent witness to the seizure list. He fairly submits that the petitioner has one criminal antecedent akin to the instant case, and he is on bail in that case.

5. Learned APP for the State vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and/ or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XIII-cum-Spl. Excise Court No.1, Gopalganj in connection with Uchakagaon P.S. Case No.399 of 2020, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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