

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71794 of 2025

Arising Out of PS. Case No.-958 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Vikram Kumar S/o Amrendra Kumar Sinha R/o Village- Bela Chhapra,
Sherpur @ Narayan Anant, P.S.- Bela, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Excise P.S. Case No. 958 of 2025 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 4211.280 liters illicit foreign liquor from the truck bearing Reg. No. HR-39D-3200. Co-accused persons namely, Shivam Kumar and Akash Pawar were apprehended who disclosed that the illicit liquor was being brought at the behest of petitioner and co-accused Dashrath Sah.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the first information report and he has been falsely implicated in this case. Petitioner is neither owner nor driver of the seized vehicle. Petitioner was not found at the place of occurrence. Except disclosure of apprehended co-accused persons namely, Shivam Kumar and Akash Pawar, 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. Seizure list has not been made as per law. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions 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 and submits that petitioner's name finds figure in the F.I.R. and he cannot escape from the allegations levelled in the first information report.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, petitioner is neither owner nor driver of the vehicle in question, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 2, Muzaffarpur in connection with Excise Case No. 958 of 2025, 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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