

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72270 of 2025

Arising Out of PS. Case No.-275 Year-2025 Thana- KALYANPUR District- Samastipur

Vimlesh Kumar S/O Sri Nand Kishore Singh R/O Vill.- Ladaura, P.S.-
Kalyanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-10-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Kalyanpur Police Station Case No. 272 of 2025, dated 14.08.2025, disclosing offence under Section 30(a)/41(1) of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per the written report, is that on 13.08.2025 at about 10:05 PM, the police received secret information that illicit liquor was being manufactured and transported near the house of one Dilip Rai at Village Jakhara. Upon the information, the police proceeded towards the place of occurrence, where, several persons after seeing the police started fleeing away and succeeded in it. On search, from underneath the ground and from



one Scorpio vehicle, bearing Reg. No. BR-06PD-8009, a total of 1408.3 liters of country-made liquor was recovered from the vehicle.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to oblique motive and village politics. He next submits that the petitioner was not present at the place of occurrence and his name has transpired on the basis of secret information. He further submits that illicit liquor has not been recovered from conscious possession of the petitioner and/or from the vehicle belonging to him. Rather, the same has been recovered in from underneath the ground near the house of one Dilip Rai, which is open space accessible to all and sundry.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the name of the petitioner has transpired on the basis of secret information and illicit liquor has not been recovered from the conscious possession of the petitioner and/or premises/vehicle belonging to him, rather, the same has been recovered from open space accessible to all and sundry, I am inclined to grant the petitioner privilege of



anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No. I, Samastipur, in connection with Kalyanpur Police Station Case No. 275 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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