

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84272 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Vinay Kumar, S/o Prahlad Ray @ Ram Prahlad Ray, R/o Village-Marwa,
Vidyapati Nagar, P.S-Vidyapati Nagar, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Begusarai Town P.S. Case No.242 of 2023 registered under Sections 420 and 414 read with 34 of the Indian Penal Code as well as Sections 30(a) and 32(2) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where there is recovery of 197 liters of IMFL/country made illicit liquor from the alleged vehicle.

4. It is submitted by learned counsel that name of petitioner transpired on the basis of disclosure made by apprehended co-accused Manoj Kumar. It is submitted that



admittedly no recovery of illicit liquor was made from the physical possession of this petitioner, as he was not apprehended on the spot. It is further submitted that petitioner found involved in two more criminal cases, where he is on bail.

5. Learned APP opposes the prayer of anticipatory bail of the petitioner.

6. In view of aforesaid factual submissions as admittedly *prima facie* no recovery of illicit liquor appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1st, Begusarai in connection with Begusarai Nagar P.S. Case No.242 of 2023, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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