

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86566 of 2025

Arising Out of PS. Case No.-263 Year-2025 Thana- DHANAHA District- West Champaran

Vinod Kumar Son of Sitaram Ram R/o Village- Etwarpur, P.S.- Lalganj,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Dhanaha P.S. Case No.263 of 2025, dated 22.08.2025 registered for the offences under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act, 2016.

3. As per the FIR, a total of 149 litres and 3.4 ml of foreign liquor is alleged to have been recovered from the petitioner's car bearing Registration No. BR22BP4391.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case solely on the ground that the recovery was made from his car. However, as a matter of fact, the petitioner had given the said vehicle on a rental basis to persons using it for



transport-related activities, and he had no knowledge of any liquor business being carried on therein. It is further submitted that the petitioner is a man of means, and the driver of the said car, who was apprehended, has already been granted bail. There has been no recovery from the constructive possession of the petitioner. Lastly, it is submitted that the petitioner has nine criminal antecedents, out of which only one is akin to the instant case, while the rest relate to land disputes, in all of which he is on bail.

5. Learned counsel for the petitioner, on instructions, and without accepting his guilt, proposes to deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) in the welfare account of the Advocates' Association of the Patna High Court.

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 constructive possession of 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 Special Judge, Excise, Bagaha, West Champaran, in connection with Dhanaha P.S. Case No.263 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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