

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86657 of 2024

Arising Out of PS. Case No.-994 Year-2024 Thana- Excise P.S. District- Aurangabad

Vipin Kumar @ Vipin Yadav S/O Vijay Yadav R/O Village- Patoi, P.S. Fesar,
District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aman Vishal, Advocate
		Ms. Leelawati Kumari, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 03-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Excise P.S. Case no. 994 of 2024 registered under section 30(a), 32(3), 41(1) and 41(2) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, three accused persons were caught while one managed to escape. From the possession of the persons who were caught, it is stated that 8.64 litres, 8.64 litres and 15.48 litres of liquor was recovered. One of the



accused persons who was caught disclosed the name of the person who had managed to escape as the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession. The only material against the petitioner is the statement of co-accused made before police describing him as the person who managed to escape. In fact, the petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle in question. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been arrested at the spot and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no. 994 of 2024 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 Special Judge, Excise, Second, Aurangabad.

(Partha Sarthy, J)

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