

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89921 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- VAINI District- Samastipur

Lalan Kumar @ Lalan Thakur Sri Nagendra Thakur R/O Vill- Chakhazi,
Ward No.-7, P.S.- Kapoorigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 631 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- VAINI District- Samastipur

Shivanand Gandhi @ Gandhi Son of Shyamsunder Singh @ Shyam Babu@
Shyam Kumar Suman Resident of Village- Thahra Gopalpur, P.S.- Waini,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1091 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- VAINI District- Samastipur

Rajeev Kumar Singh @ Chotu Singh S/O Awadhesh Singh @ Awadhesh
Kumar Singh @ Avadhesh Kumar Singh R/O Vill.- Shambhupatti, P.S.-
Karpurigram, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 89921 of 2024)
For the Petitioner/s : Ms. Mili Kumari
Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Md. Matloob Rab
(In CRIMINAL MISCELLANEOUS No. 631 of 2025)
For the Petitioner/s : Mr.Anish Kumar
For the Opposite Party/s : Mr.Rajesh Kumar
(In CRIMINAL MISCELLANEOUS No. 1091 of 2025)
For the Petitioner/s : Mr.Pramod Kumar Singh



For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 1. Since all these anticipatory bail applications arise out of Vaini Police Station Case No. 58 of 2024, with the consent of the parties, all these three anticipatory bail applications are heard together.
2. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
3. These applications, for grant of anticipatory bail, arise out of Vaini Police Station Case No. 58 of 2024, dated 26.10.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
4. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioners and others were unloading the illicit liquor from a truck in village Singhia Karpoorigram, reached at the place of occurrence and saw that three persons on a motorcycle was coming and behind the motorcycle, a pick up van was also coming and when the police tried to stop them, all the persons fled away, leaving the motorcycle and the pick-up van. On search, the police recovered 777.6 litres of illicit liquor kept in the van.



5. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case merely on the basis of secret information. They further submits that the petitioners are neither the owner nor the driver of the vehicles, in question. He further submits that the petitioners have got no concerned with the seized vehicles and the recovered illicit liquor. They next submits that except the petitioner Rajeev Kumar Singh, all other petitioners have got no criminal antecedent. The petitioner Rajeev Kumar Singh has got two criminal antecedents, out of which one is of similar nature of offence.
6. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioners transpired in this case on secret information and the petitioners are neither the owner nor the driver of the said vehicles, I am inclined to grant the petitioners privilege of anticipatory bail.
7. These applications are, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, 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 learned Exclusive Special Excise Court No. II, Samastipur, in connection with Vaini Police Station Case No. 58 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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