

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87611 of 2025**

Arising Out of PS. Case No.-115 Year-2025 Thana- DURAULI District- Siwan

Vishal Rai Son of Sharma Rai Resident of Village- Harnatad, P.S.- Darauli,  
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Priyanshu Kumar Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**

ORAL ORDER

2      19-12-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Darauli P.S. Case No. 115 of 2025, F.I.R dated 05.05.2025 registered for the offences punishable under Sections 318(4), 338, 336(3) of BNS, 2023 and 30(A), 41(1) of Bihar Liquor Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the written complaint of the informant Manoj Kumar, ASI, Darauli Police Station, is that on 05.05.2025 at about 10:20 A.M., the informant along with his team was present at Done Bazar for a special raid. During the said raid, they allegedly received secret information that a person carrying liquor was coming from Bangra side towards Bauna. After informing the superior officer and in order



to verify the said information, the police party reached near a poultry farm situated on Bangra–Bauna Road. Thereafter, a person riding a TVS Jupiter scooter bearing Registration No. BR-29-BC-2695 was seen approaching, who upon seeing the police allegedly left the scooter and attempted to flee but was apprehended. On enquiry, he disclosed his name as Kaif Ali. Upon search of the scooter, a black bag was allegedly recovered containing 363 bottles of 200 ml each of indigenous liquor, totaling 72.600 litres.

4. Learned counsel for the petitioner submits that the scooty which belongs to this petitioner was being driven by one *Kaif Ali*, was taken for his personal use and was arrested from the spot, and he was taken to judicial custody. The petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposes the prayer for anticipatory bail application.

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 and / or premises belonging to the petitioner and considering the aforesaid fact that petitioner has clean antecedent and this petitioner is no way connected with the seized articles,



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 Exclusive Special Excise Court-I, Siwan in connection with Darauli P.S. Case No. 115 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Ajit Kumar, J)**

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