

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2500 of 2025

Arising Out of PS. Case No.-346 Year-2022 Thana- BARH District- Patna

Vikki Kumar @ Vikki Yadav Son of Sri Bhagirath Yadav Resident of Village -
Puraibaghi, P.S. - Barh, District – Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Barh PS case no. 346 of 2022, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.
3. The prosecution story, as per the First Information report, is that on 06.06.2022, police got secret information that illicit countrymade liquor was being sold by the petitioner in the bamboo clump, police reached near the place of occurrence and upon seeing the police party, one person started fleeing away and he was identified as petitioner, who succeeded in fleeing away.
4. Learned Counsel for the petitioner submits that the petitioner is not having any criminal antecedent and he has been made accused on the basis of secret information and the disclosure



made by the local chowkidar. He further submits that the liquor has been recovered from bamboo clump, which is an open space accessible to all. He also submits that the liquor has not been recovered from the conscious possession of the petitioner and/ or premises belonging to him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from an open space and petitioner is having no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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 court of Exclusive Special Judge, Excise Court, Barh in connection with Barh PS case no. 346 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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