

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90390 of 2024

Arising Out of PS. Case No.-211 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Bimlesh Kumar son of Arvind Kumar @ Arbind Singh @ Bijli Yadav
Resident of Village-Dahiyad Police Station-Sasaram Muffasil, District-Rohtas
at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59 of 2025

Arising Out of PS. Case No.-211 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Vikrant Kumar @ Vikranta Kumar son of Ram Prasad Mahto @ Ram Prasad
Singh Resident of Village -Dahiyad Police Station -Sasaram Muff. District-
Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 90390 of 2024)

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 59 of 2025)

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-02-2025 Since both these applications arise out of Sasaram

(Muff.) Police Station Case No. 211 of 2018, with the consent of

the parties, both these applications are heard together.

2. Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.



3. This application, for grant of anticipatory bail, arises out of Sasaram (Muff.) Police Station Case No. 211 of 2018, disclosing offences under Section 30(a) of the Bihar Prohibition & Excise Act.

4. The prosecution case, as per the First Information Report, is that the police officer got the information that petitioner Vikrant Kumar and Bimlesh Kumar (son of Bijli Yadav) and co-accused Shiv Yadav were indulged in trade of illicit liquor and co-accused Shiv Yadav has stored liquor in his house. Upon this information, the police proceeded towards the place of occurrence and recovered 64.4 litre of foreign liquor and Mahua liquor from the lavatory situated behind the house of co-accused Shiv Yadav.

5. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of secret information. He further submits that the illicit liquor has not been recovered from the conscious possession and or premises belonging to the petitioners, however, the liquor has been recovered from house of co-accused Shiv Yadav. He next submits that the petitioner Vikrant Kumar is not having criminal antecedent of similar nature of offence, however, the petitioner Vimlesh Kumar is having one criminal antecedent of similar



nature of offence.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the illicit liquor has been recovered from the house of co-accused Shiv Yadav and the name of the petitioners has transpired on the basis of secret information, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-2-cum-District & Additional Sessions Judge, Rohtas at Sasaram, in connection with Sasaram (Muff.) Police Station Case No. 211 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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