

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17614 of 2026

Arising Out of PS. Case No.-787 Year-2018 Thana- ARA NAGAR District- Bhojpur

Vishal Bind @ Vishal Kumar Son of Gorakh Bind @ Gorakh Prasad Resident
of Village- Ujjar Tola, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Adv Mr. Raju Kumar Singh, Adv Ms. Drishti Mohan, Adv
For the State	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ara Town P.S. Case No. 787 of 2018, registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per allegation, the police, on a secret information, reached the place of occurrence and recovered 20 liters of country-made liquor from the spot. Seeing the police party, the petitioner fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implication in the present case. Nothing has been



recovered from his conscious physical possession.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that the petitioner was not apprehended on the spot and further, no recovery has been made from the conscious physical possession of the petitioner and also taking into account that the search and seizure memo has not been signed by two independent witnesses which puts a question mark on the validity of the seizure itself, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his 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 the learned Exclusive Special Excise Judge-1, Bhojpur at Ara in connection with Ara Town P.S. Case No. 787 of 2018, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the



criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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