

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24046 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- AURAI District- Muzaffarpur

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Vikas Kumar S/o Mohan Ray R/o Village - Maheswara P.S.- Aurai, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-04-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Aurai Police Station Case No. 258 of 2025,
disclosing offences under Sections 274, 275, 3(5) of the BNS,
2023, and Section 30(a) of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, on 26.11.2025,
police acting on secret information apprehended Brajmohan
Singh and recovered 38 liters of illicit liquor from a grove near
his poultry farm. He disclosed sourcing it from Vikas
Kumar/petitioner. Later, Rakesh Kumar was also apprehended
near his cattle shed, and 33.3 liters of Nepali liquor were
recovered from a thicket situated near his cattle shed.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is no direct or cogent evidence against him, and he has been made accused solely on the confessional statement made by the apprehended co-accused and his past antecedents. The petitioner was not present at the place of occurrence, and no incriminating material has been recovered from his possession or premises.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has been made accused merely on the basis of disclosure by the apprehended co-accused that the liquor has been bought from the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four 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 Special Judge Excise-II, Muzaffarpur, in connection with Aurai Police Station Case No. 258 of 2025, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure/Section 482(2) of the
BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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