

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26621 of 2026

Arising Out of PS. Case No.-102 Year-2023 Thana- BENIPATTI District- Madhubani

Vijay Kumar @ Vijay Kumar Singh S/O Late Dharm Deo Singh R/o Village-
Kamrathu, P.S- Gayghat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Kumar Yadav, Advocate Mr.Ravi Prakash, Advocate, Advocate
For the Opposite Party/s	:	Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Benipatti P.S. Case No. 102 of 2023 registered for the offence under Sections 272, 273 and 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, petitioner is the ex-owner of the tempo from which total 180 litre of Nepali Saufi liquor is recovered.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. It is next submitted that the petitioner has sold the vehicle in the year 2015, but the name of



the petitioner is still mentioned in the R.C. Petitioner claims that there is no case against him under the Bihar Prohibition and Excise Act.

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

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned 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 Judge, Excise, Madhubani/ concerned Court below in connection with Benipatti P.S. Case No. 102 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramkrishna Mission Ashrama, Bela, Muzaffarpur and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.



9. At the time of accepting the bail bonds of the petitioner, the Court below shall verify whether the petitioner has any case registered against him under the Bihar Prohibition and Excise Act. The bail bonds of the petitioner shall only be accepted if it is found that there is no such case registered against him under the Bihar Prohibition and Excise Act.

(Sandeep Kumar, J)

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