

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32189 of 2026

Arising Out of PS. Case No.-446 Year-2015 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Vijay Rajvanshi S/o- Nandu Rajvanshi RO Village- Soiyabapar Labarpura
PS- Hisua District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 24-06-2026 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with G.O. Case No.446 of 2015, registered under Sections 47(a)
and (f) of Bihar Prohibition and Excise Act.

3. As per the prosecution story, which has been
lodged on the basis of written report submitted by the informant
to the effect that while the informant along with other excise
officials went to the spot/place of occurrence, total 35 liters of
liquor and 400 kg of Jawa Mahua were recovered. However, the
accused persons upon seeing the excise team and the officials,
managed to escape from there.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has not committed any offence. The learned counsel for the petitioner further submits that the petitioner was not present at the place of occurrence and nothing has been recovered from his possession. The learned counsel for the petitioner further submits that the alleged seizure of 35 liters of liquor and 400 kg of Jawa Mahua was made from an open place, which is accessible to all and the petitioner has got no concern with the said place. The learned counsel for the petitioner further submits that the petitioner has got a clean antecedent.

5. *Per Contra*, learned APP for the State vehemently opposed the prayer for grant of bail to the petitioner.

6. Having considered the rival submissions and after going through the records, it appears that 35 liters of liquor and 400 kg of Jawa Mahua was recovered from an open place, which does not belong to the petitioner. The petitioner was not even present at the place of occurrence, rather his name transpired in the present case during course of investigation. The petitioner has got a clean antecedent. Let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Nawada in connection with G.O. Case No.446 of 2015, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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