

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34401 of 2026

Arising Out of PS. Case No.-1590 Year-2025 Thana- Excise P.S. District- Gaya

Vinay Kumar Vishwakarma S/O Sant Vishwakarma @ Sant Kumar Vishwakarma Resident of Village- Raj Ganj, P.S.- Raj Ganj, District- Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of Gaya Excise P.S. Case No. 1590 of 2025, registered for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act.

3. As per allegation, 61.500 liters of foreign liquor was recovered from a car and co-accused persons, namely, Mukesh Pandey and Adarsh Kumar were arrested.

4. Learned counsel for the petitioner has submitted that petitioner happens to be the owner of the car in question from which alleged recovery has been made. It has further been submitted that the petitioner was not present at the spot. It has also been submitted that the petitioner has given the car to the apprehended accused person on good faith and was not aware of



the evil designs of the accused persons and when the seizure was made, the car was not under control of the petitioner. It has further been submitted that no procedure prescribed under Section 105 BNSS was followed.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 Court No.3, Gaya Jee, in connection with Gaya Excise P.S. Case No. 1590 of 2025, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.

(Praveen Kumar, J)

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