

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41813 of 2026

Arising Out of PS. Case No.-390 Year-2025 Thana- SHERGHATI District- Gaya

Vinod Kumar Son of Jantu Paswan Resident of Village- Gopalpur, P.S.-
Sherghati, District- Gaya Ji.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Sherghati P.S.
Case No.390 of 2025 registered under Sections 30(a) and
32(3) of Bihar Prohibition and Excise Amendment Act, 2016.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 50 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the name of petitioner arrayed solely for
the reason that the petitioner is the owner of the *Toto*



bearing Registration No. BRP2RA 3491 which was involved in carrying consignment of illicit liquor. It is also submitted that petitioner had given his *Toto* to one Vinod Kumar, who was a driver of the said vehicle, to earn money but the driver was using the said vehicle for carrying illicit liquor, without any knowledge of the petitioner. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Court of Special Excise Court No- 3, Gaya, in connection with Sherghati P.S. Case No.390 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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