

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49305 of 2026**

Arising Out of PS. Case No.-80 Year-2025 Thana- VIJAYEPUR District- Gopalganj

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Raju Mishra, S/o Jagdish Mishra, Resident of Village- Jigna Dubey, P.S.-
Bhore, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Vijayipur P.S. Case No. 80 of 2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel appearing for the petitioner submits that the petitioner has been made an accused on the ground that he is the registered owner of the motorcycle which was allegedly used for transporting the illicit liquor. The FIR clearly reveals that only two persons were riding the said motorcycle when they were apprehended with the alleged liquor and they did not disclose the petitioner's name as being involved



with them in the trafficking of the alleged liquor. It is further submitted that, in fact, the apprehended co-accused, Amarjeet Yadav, who is known to the petitioner, had taken the petitioner's motorcycle on some pretext and later, he misused the same and the alleged offence under which the FIR has been registered does not even *prima facie* attract against the petitioner, therefore, his prayer is not hit by the provisions of Section 76(2) of the Excise Act. It is lastly submitted that though against the petitioner there is one more criminal case but the same relates to the offences of Indian Penal Code and Arms Act in which he is on bail.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions as well as the facts and circumstances of this case, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Vijayipur P.S. Case No. 80 of 2025 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of



the Court concerned, subject to the conditions as laid down
under Section 482(2) of the B.N.S.S., 2023.

(Shailendra Singh, J)

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