

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59868 of 2024**

Arising Out of PS. Case No.-208 Year-2024 Thana- Excise P.S. District- Vaishali

Vikash Rai @ Vikash Kumar @ Bikash Rai, aged about 28 years, Male, Son  
of late Virendra Rai, R/o Village- Kailapatti, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-09-2024                      Heard Mr. Alok Kumar Alok, learned counsel  
appearing on behalf of the petitioner and Mr. Dr. Kumar Uday  
Pratap learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Hajipur Excise P.S. Case No. 208/2024 registered for the  
offence(s) punishable under Section 30(a) of the Bihar  
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 126 litres of  
foreign liquor was recovered from a temporary hut of the  
petitioner.

4. Learned counsel appearing on behalf of the  
petitioner submitted that petitioner is not involved in illicit  
trade of liquor, nor he consumes liquor and has falsely been  
implicated by the police on the basis of recovery which has been



made from the abandoned hut of the petitioner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the recovery is from a hut, which is easily accessible to public, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 2<sup>nd</sup>, -cum- Additional Sessions Judge, Vaishali, Hajipur in connection with Hajipur Excise P.S. Case No. 208/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been



stated in paragraph no.3 of the bail application, this order will  
automatically lose its force.

**(Purnendu Singh, J)**

Sanjay/-

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