

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10931 of 2025

Arising Out of PS. Case No.-801 Year-2022 Thana- SONEPUR District- Saran

Vikash Kumar @ Vikash Ray S/o- Ramashankar Rai R/O village -Murthun ,
ward no. 4 , P.s.- Sonapur , District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection
with Sonapur P.S. Case No. 801 of 2022 instituted
for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has
recovered total 75 liters of illicit country made
liquor from three different places. It is also alleged
that the police has destroyed 1000 liters of raw
material.

4. Learned counsel for the petitioner
submits that the petitioner is innocent and has



committed no offence as alleged against him and has falsely been implicated in the present case. The name of the petitioner has transpired in this case on the basis of the secret information. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged place of occurrences from where the illicit liquor was seized. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has four criminal antecedents and is languishing in judicial custody since 05.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let



the petitioner, abovenamed, be released on bail,
***after framing of charge if not already
framed,*** on furnishing bail bonds of Rs.10,000/-
(Ten thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned
Court in connection with Sonapur P.S. Case No.
801 of 2022.

(Rudra Prakash Mishra, J)

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