

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17682 of 2025

Arising Out of PS. Case No.-469 Year-2024 Thana- OBRA District- Aurangabad

Vikash Kumar @ Bhusbhusiya Son of Gopal Nat Resident of Village- Nat
Muhalla, P.S.- Obra, District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Obra P.S. Case No. 469 of 2024 registered for the alleged offences under Section 30(a) the Bihar Prohibition and Excise Amendment Act.

03. As per prosecution case, police received information about sale of illicit liquor at certain identified place. When the police party reached there 6-7 person started running away. The local villagers and the Chowkidar disclosed the name of the petitioner and other co-accused persons who were involved in the trade of illicit liquor. Recovery of 40 litres of country made *Mahua* liquor was made from the spot apart from recovery of 1980 ml. of another country made type of liquor.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner and except for suspicion there is no tangible material to connect the petitioners with the offences as alleged. There is violation of mandatory provision of search and seizure. No offences under any of the provision of the Bihar Prohibition and Excise Act is made out against the petitioner. Petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering his clean antecedent and absence of serious allegation against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Special Judge of Excise-II, Aurangabad in connection with Obra P.S. Case No. 469 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S. and



other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Anuradha/-

U		T	
---	--	---	--

