

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19313 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- WARISLIGANJ District- Nawada

Vikash Kumar @ Rohit S/O Umesh Prasad Singh R/O Village- Apsar, P.S-
Warisaliganj, Distt.- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

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

ORAL ORDER

3 24-04-2025 The matter has been listed today under the heading ‘To
Be Mentioned’ for urgent hearing of the matter on the ground of
marriage of the sister of the petitioner.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner seeks bail in connection with
Warisaliganj PS Case No. 35 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 25(1-B)(a) & 26 of the Arms Act.

4. The prosecution case, in short, is that 1.5 liters
foreign liquor along with one country made pistol, one
magazine and one live cartridge were recovered from the house
of the petitioner.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor and arms and the same is planted by the police party. It is submitted that recovery is made from the joint house of the petitioner, where other family members also resides. There is no compliance of Section 103 of the BNSS, 2023. The petitioner is in custody since 18-01-2025 and has got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail 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 Warisaliganj PS Case No. 35 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

9. Interlocutory Application No. 01 of 2025 stands disposed of.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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