

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26023 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- GHANSHYAMPUR District- Darbhanga

Vikash Kumar Sharma S/o Yoganand Sharma R/o vill - Jaidev Patti, P.S.-
Ghanshyampur, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ghanshyampur P.S. Case No. 348 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

3. As per prosecution case, the police has recovered
total 513 liters of illicit Nepali liquor from the motorcycle
bearing Regd. No. BR07 BE5311.

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 petitioner is the owner of the alleged motorcycle. He further



submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has also no concern with the place of occurrence. The petitioner was not aware of the contents of the material loaded in the alleged motorcycle. 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 one criminal antecedent in which he is on bail and is languishing in judicial custody since 04.04.2025 without any rhymes or reason.

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

7. 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 Ghanshyampur P.S. Case No. 348 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

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

