

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31012 of 2025

Arising Out of PS. Case No.-19 Year-2023 Thana- AAYAR District- Bhojpur

Vikash Kumar @ Vikas Kumar, S/o Jay Prakash Narayan Gupta, Resident of
Village- Dharhara, New Colony Hanuman Tola, Arrah, District- Bhojpur,
Bihar- 802301

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanchay Srivastava, Advocate
		Mr. Sushant Srivastava, Advocate
		Mr. Ashish Kumar Palit, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Aayar P.S. Case No. 19 of 2023, registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. Allegedly in course of vehicle checking, the police
intercepted an auto bearing registration no. BR03PA-2170 and
apprehended a person. In course of search total 150 litres
country made *mahua* liquor was recovered.

4. Learned Advocate appearing on behalf of the



petitioner submitted that the petitioner is not named in the FIR, however, later on during the course of investigation, only on account of the petitioner being previous owner of the tempo in question, his name has been implicated in this case. In order to substantiate the aforesaid contention, learned Advocate for the petitioner has drawn the attention of this Court to Annexure P/2 and submitted that the auto in question has already been sold in favour of one Mohd. Jamil Ahmad and subsequent thereto, the ownership of the auto in question, has been transferred in his favour, as is evident from the vehicle registration details, the copy of which is also marked as Annexure P/3. Based upon the aforesaid facts, learned Advocate for the petitioner thus submitted that without there being any material available on record, the name of the petitioner has been implicated. Moreover, the petitioner bears absolutely fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the sale agreement and the vehicle registration details which suggest that the vehicle in



question owned by one Mohd. Jamil Ahmad and there is no other material suggesting the complicity of the petitioner in crime and/or the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Excise Court No. 1st Bhojpur, Ara in connection with Aayar P.S. Case No. 19 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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