

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34992 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Excise P.S. District- Gopalganj

Bikash @ Vikash S/o Rajendra, Resident of village - Jataula, PS- Gadpuri,
Dist- Palwal, Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 139 of 2025 dated-04.03.2025, registered for the offences punishable under Sections 30(a) and 32 of Bihar Prohibition and Excise(Amendment) Act, 2022.

3. As per allegation, on interception of car bearing Registration No. UP-16CU-7669, which was being driven by the petitioner and one co-accused Jatin was sitting in the car, 350.250 liter illicit liquor has been recovered from the dicky of the car and under the middle seat of the car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the seizure has not been made as



per rules applicable, nor the contraband has been recovered from the conscious possession of the petitioner. He also submits that petitioner is no way involved in the offence and the car, in question, does not belong to him and even, charge-sheet has been submitted.

5. He further submits that the petitioner has been languishing in jail since 05.03.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Excise P.S. Case No. 139 of 2025, on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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