

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34829 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- Krishnabraham District- Buxar

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Vikash Kumar @ Bikash Kumar @ Vikas S/o Balveer Singh Resident of
village- Ashrafpur, Matindu, P.S.- Kharkhoda (Kharkhodar), District- Sonipat,
Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, on secret information
the police apprehended the petitioner from a container parked in
front of Shivgang Hotel. On search, total 2012.25 liters of
foreign liquor was recovered from the said container.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case and he is only the driver of the said container from
which foreign liquor was recovered. It is next submitted that the



petitioner has no concern with the alleged recovery and no incriminating article has been recovered from his conscious physical possession. It is lastly submitted that the petitioner has clean antecedent and is in custody since 12.04.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the period of custody of the petitioner, let the petitioner above- named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned, Buxar, in connection with Kishna Braham P.S. Case No. 45/2025, subject to the following conditions:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. If the petitioner is found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the



petitioner.

d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to the cancelled by the court concerned.

e. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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