

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36214 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- SARAI RANJAN District- Samastipur

Vikash Kumar Jha @ Vikash Jha S/o Late Rambabu Jha @ Rambabu Jha R/o
Harpur Barheta, PS- Sarairanjan, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Keshav Bhardwaj, Advocate
		Mr. Yash Sahay, Advocate
		Mr. Nikhil Kumar Agrawal, Advocate
For the Opposite Party/s :		Mr. Satyendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) and 41 (1) (2) of the
Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the
seizure list would go to show that total 3124.5 liters of foreign
liquor is said to have been recovered from a container which
was being unloaded and getting loaded in different vehicle.

4. It is submitted by learned counsel for the petitioner
that the petitioner was not apprehended on the spot. There is no
recovery from the conscious or physical possession of the
petitioner. The petitioner is not the owner of any of the seized



vehicle and his name surfaced in this case at the instance of the local Chaukidar due to animosity. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. It is also submitted that several similarly situated co-accused have been enlarged on anticipatory and regular bail by different co-ordinate Bench of this Court and those orders have been annexed as Annexure-P/2 series to this application. Petitioner has one criminal antecedent and has been languishing in custody since 01.05.2025.

5. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to 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 Court below where the case is pending/successor Court in connection with Sarai Ranjan P.S. Case No. 39 of 2025.

(Soni Shrivastava, J)

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