

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49967 of 2025

Arising Out of PS. Case No.-401 Year-2025 Thana- KANKARBAG District- Patna

Vijay Kumar @ Vijay Kumar Pandey, S/O Shiv Prasad Pandey, Resident of
Ashok Nagar, Road No 07, P.S.- Kankarbagh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Kankarbagh P.S. Case No. 401 of 2025 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Allegedly in course of patrolling, the police found that an E-Rikshaw was parked on an abandoned place. In course of search, total 6.400 litres of country made liquor was recovered from the back seat of E-Rikshaw. The petitioner is said to be the owner of the said E-Rikshaw and thus the petitioner has been made accused in the case.

4. Learned Advocate for the petitioner submitted that only on account of the petitioner being owner of the E-Rikshaw, his name has been implicated in this case. However, on the



alleged date of occurrence, the petitioner was in New Delhi for the purpose of taking admission of his daughter. Moreover, E-Rikshaw was being run by one Pramod Kumar on rent and the petitioner was not knowing this fact that it has ever been used for any illicit purpose. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated in this case only because he being the owner of the E-Rikshaw, in question, and there is no other material suggesting the complicity of the petitioner in connection with the recovery of illicit liquor, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Patna in connection with Kankarbagh P.S. Case No. 401 of 2025, subject



to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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