

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51435 of 2025

Arising Out of PS. Case No.-216 Year-2025 Thana- MALSALAMI District- Patna

Vikash Kumar @ Ghocha S/o Sahdev Mahto @ Bhaisa, R/o Village -
Chaitola, P.S - Malsalami, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Malsalami P.S. Case No. 216 of 2025 dated 06.05.2025 registered for the offences punishable under Section 317(5) of the BNS and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 19.350 litres of illicit foreign liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is not the owner of the motorcycle in question. The petitioner has no concern with the



alleged recovery. The petitioner has got six criminal antecedents out of which two are of similar nature as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 10.07.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, Patna, in connection with **Malsalami P.S. Case No. 216 of 2025**, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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