

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61460 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- SARAI RANJAN District- Samastipur

Vikash Sharma @ Fullo son of Ram Sudhar Sharma Village- ward no.2,
Jagatsinghpur, P.S- Karpoorigram, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate.

For the State : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Sarai Ranjan P.S. Case No. 103 of 2025,
dated 10.06.2025 registered for the offences punishable under
Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and
Excise Act.

3. As per allegation, 2752.956 litres of illicit liquor
has been recovered from one truck, one scorpio, two Boleros
and one Motorcycle and at the time of such recovery of
contraband, no persons were present because they had fled away
on seeing the Police party. It has further been alleged that as per
local *chowkidar*, it was the petitioner and other accused who
had fled away from the place of occurrence.



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 entire case of the prosecution against the petitioner is based only on suspicion. He also submits that the petitioner was not present at the time of alleged recovery and nothing has been recovered from possession of the petitioners. The vehicles from which the recovery was made, do not belong to the petitioner. He also submits that no *prima facie* case is made out against the petitioner and hence, the present petition is maintainable and the petitioner deserves to be enlarged on anticipatory bail.

5. 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 in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in four other cases of Excise Act, in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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 Sarai Ranjan P.S. Case No. 103 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, 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.

(ii) 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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