

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72264 of 2025

Arising Out of PS. Case No.-496 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Vikash Kumar @ Bikash Kumar S/O Bhutali Ram Resident of Village- Banki Karpurva, P.S- Darigaon, Dist- Rohtas.
2. Sonu Kumar S/O Late Chhotelal Sonkar R/O Mohalla- Gitaghat Colony, Police Station- Nogarthana Sasaram Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32(i), (iii) and 41(i) (ii) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 295.680 liters of country made foreign liquor was recovered from a vehicle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that both the petitioners were in vehicle but nothing has been recovered from their physical possession. It has also been submitted that from perusal of the seizure list, it will transpire that the witnesses of the seizure



list are police personnel and from where the recovery has been made is near the canal. It is not mentioned in the seizure list that the recovery has been made from the vehicle. A statement has been made in para-3 of this petition that the petitioner no. 1 has got no criminal antecedent whereas petitioner no. 2 has got two criminal antecedents. Moreover, they are languishing in judicial custody since 08.08.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bhabua Excise P.S. Case No. 496 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Kaimur at Bhabua **with a condition that the petitioners shall not indulge in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

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