

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86939 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- LACHHUAR District- Jamui

1. Vikash Kumar S/o Nanki Sah R/o Village - Shahwajpur, P.S - Ahiyapur,
District - Muzaffarpur
2. Raja Kumar S/o Pappu Sah R/o Village - Manvishanpur, P.S - Bochaha,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Jay, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Lachhuar P.S. Case No. 126 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 162
liters liquor was recovered from car. Petitioners were arrested on
the spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Petitioner No.1 is the driver of the vehicle and petitioner No.2 was found sitting in the alleged car. The petitioners have no knowledge regarding goods loaded on the vehicle. The petitioners are in custody since 07.10.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioner No.1 namely **Vikash Kumar** be released on bail *after framing of charge, if not already framed*, and petitioner No.2 Raja Kumar be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lachhuar P.S. Case No. 126 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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