

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4086 of 2026

Arising Out of PS. Case No.-249 Year-2025 Thana- NAYAGAON District- Saran

Vikash Kumar S/O Arvind Bhagat @ Arbind Bhagat R/O Village and PO-
Jandaha, District- Vaishali At Present Residing at Kasturichak, PS- Nayagaon,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Saurav, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nayagaon P.S. Case No. 249 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 4 litres of
liquor has been recovered from the hut of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from the hut which is situated in an open place and the same is



accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 29.12.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nayagaon P.S. Case No. 249 of 2025.

(Rudra Prakash Mishra, J)

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