

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8906 of 2026

Arising Out of PS. Case No.-872 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Vikash Kumar Prasad @ Vikas Kumar Prasad S/O Late Kishor Kumar Prasad
R/O Mohalla- Malviya Nagar Sareya, Ward No. 4, Gopalganj, Mangal Mahto
Ke Makan Me, P.S.- Gopalganj, District.- Gopalganj, Permanent R/at 1B/209,
Subhash Nagar, P.s.- Bermo, Dist.- Bokaro, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Gopalganj Nagar P.S. Case No. 872 of 2025, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution-case, 53.480 litre foreign and country-made liquor was recovered from three sacks kept in an Almirah in the room of Vikash Kumar Prasad (petitioner).

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He further submits that petitioner is, in no



way, connected with the alleged place of recovery as he has left the rented flat of Mangal Mahato one month prior to the date of occurrence and the petitioner has been falsely implicated in the present case at the instance of the land-lord who pressurized the petitioner to vacate the flat. Petitioner was not found at the place of occurrence. In the light of aforesaid, no offence is made out against the petitioner. Apart from that, petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that alleged recovery is from the rented room of the petitioner and he cannot escape from the allegations made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail-bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned District and Additional Sessions Judge-XIII-cum-Special Judge, Excise Court No. I, Gopalganj in connection with Gopalganj Nagar P.S. Case No. 872 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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