

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11280 of 2026

Arising Out of PS. Case No.-3339 Year-2025 Thana- Excise P.S. District- Patna

Vikash Jayswal, son of Raju Jayswal, R/o village- Purvi Mohalla, Mirganj,
Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Excise P.S. Case No. 3339 of 2025 registered for the offences
under Sections 30(a), 37, 32, 41, 56(b) and 62 of the Bihar
Prohibition and Excise Amendment Act, 2018.

3. The prosecution case is to the effect that a godown
was searched and total 1.620 liters of Indian made foreign liquor
was recovered from a godown and five persons were
apprehended.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has no
concern with the alleged recovery. It has further been submitted
that the petitioner is neither the owner of the godown nor the



owner of the said seized liquor. It is an admitted case that five persons were apprehended and they were taking liquor when they were apprehended and were found to be in an inebriated condition. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Excise P.S. Case No. 3339 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in



violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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