

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12220 of 2026

Arising Out of PS. Case No.-127 Year-2025 Thana- JALALPUR District- Saran

Vijay Bharti Son of Mangaru Bharti Resident of Village- Sakaddi Bharti Tola,
P.S.- Jalalpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Gulnar Begum, A.P.P.

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

ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jalalpur P.S. Case No. 127 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 25 liters of
country made liquor was recovered. Out of which, 10 Litres of
country made liquor was recovered from the bamboo orchard.

4. Learned counsel for the petitioner submits that
earlier the anticipatory bail of the petitioner was allowed vide
order dated 14.10.2025 passed in Criminal Miscellaneous No.
70659 of 2025 with direction to verify the criminal antecedent
of petitioner, but petitioner could not be released on bail due to



his criminal antecedents. He further submitted that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The name of the petitioner has been disclosed by the local Chowkidar. Learned counsel for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. The petitioner is in custody since 19.01.2026 and has got four criminal antecedents. 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case and 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 Jalalpur P.S. Case No. 127 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or



close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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