

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18676 of 2026

Arising Out of PS. Case No.-97 Year-2025 Thana- EXCISE BARH District- Patna

Vikash Kumar S/o Late Awadhesh Yadav R/o Village - Shahpur Bhagan
Bigha, P.S - Rahui, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-04-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Barh Excise Police Station Case No. 97 of 2025,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2016.
3. As per the prosecution case, during a raid on
10.04.2025, the police attempted to stop a motorcycle carrying
two persons, who fled after abandoning the vehicle and a bag.
Upon search, 9 liters of foreign liquor were recovered from the
bag. As no independent witnesses were present, police personnel
acted as witnesses. The liquor and motorcycle were seized,
documented, videographed, and taken to the police station.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from his conscious possession. The petitioner is not named in the FIR, and the seized motorcycle is registered in the name of his deceased father. Petitioner was not aware whether the motorcycle was taken by somebody else for his personal work but was carrying illicit liquor. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that motorcycle was borrowed by someone and petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Barh, Patna, in connection with Barh Excise Police Station Case No. 97 of 2025, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure/Section 482(2) of the
BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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