

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21007 of 2026

Arising Out of PS. Case No.-679 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Chhotu Kumar @ Vikash Kumar S/o Vinay Sharma @ Vinay Kumar Sharma
R/V- Daudnagar, PS- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the State : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Anuj Kumar, learned counsel for the
petitioner and Mr. Nand Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
14.02.2026, in connection with Hajipur Sadar P.S. Case No. 679
of 2025, F.I.R. dated 24.08.2025 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Amendment Act, 2022.

3. Recovery is of 1750 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offence as alleged in the F.I.R. It appears from
the F.I.R. that the recovery has been made from the vehicle in
question and one Shyam Kumar was apprehended who has



disclosed that he has taken the liquor in question from the house of the petitioner who has to deliver the same to one Raushan Kumar. He further submits that except the disclosure made by apprehended co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and there is non-compliance of Section 103 of BNSS, 2023 and the petitioner is in custody since 14.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person and there is non-compliance of Section 103 of the BNSS, 2023, let the petitioner, above named, be released on 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 Exclusive Special Excise Court No. 01-cum-District &



Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 679 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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