

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32610 of 2026

Arising Out of PS. Case No.-47 Year-2026 Thana- Patarghat District- Saharsa

Vikash Kumar S/o Ratan Mahato R/o Village- Patarghat, Ward No.8, P.S- Patarghat, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection Patarghat P.S. Case No. 47 of 2026 dated 25.02.2026, registered for the offence punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 54 litres of country made liquor from the courtyard of Rajesh Kumar Kamat.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that nothing has been recovered either from the conscious possession of the petitioner or from his house, rather, the said illicit liquor has been recovered from the courtyard of Rajesh Kumar Kamat, who disclosed the name of



the petitioner. Lastly, it has been submitted that the petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Patarghat P.S. Case No. 47 of 2026, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-(Excise)-I, Saharsa, subject to condition as laid down under Section 482(2) of B.N.S.S. as also 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner



is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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