

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32763 of 2026

Arising Out of PS. Case No.-56 Year-2026 Thana- SARAI District- Vaishali

Vicky Kumar S/o Arun Rai R/o Village- Rahsa (Pachhiari), P.S.- Bhagwanpur,
District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Sudha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Ms.Sudha, learned counsel for the petitioner
and Mr.Chandra Sen Prasad Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 27.02.2026 in connection with Sarai P.S. Case No. 56 of 2026, F.I.R. dated 26.02.2026 registered for the offence punishable under Sections 30(a), 32, 33, 34, 36, 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Recovery is of 2550.125 liters of spirit and country made foreign liquor.

4. Learned counsel appearing for the petitioner submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from vehicle in question and it appears from the seizure list that the seizure list



witnesses are police personnel so there is non-compliance of Sections 103 and 105 of B.N.S.S., 2023 and the petitioner is in custody since 27.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, 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 Exclusive Special Prohibition and Excise Court No. 02-Cum-District and Additional Sessions Judge, Hajipur, Vaishali in connection with Sarai P.S. Case No. 56 of 2026, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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 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.

(Rajesh Kumar Verma, J)

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