

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33799 of 2026

Arising Out of PS. Case No.-106 Year-2022 Thana- NATWAR District- Rohtas

Vikash Nat @ Vikash Kumar S/O Vijay Nat @ Vijay Prasad R/O Village-
Khaira Bhudhar or Khaira Budhar, P.S- Bikramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Natwar P.S. Case No. 106 of 2022 registered on 14.07.2022 for the offences punishable under Sections 30(a), of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, there has been recovery of 04 litres of illicit liquor allegedly from a Tempo bearing Registration No. BR26 PA 5382.

4. Learned counsel for the petitioner submits that the petitioner is not named in FIR and no recovery has been made from his constructive possession rather it was made from the tempo which does not belong to the petitioner. He has falsely been implicated in this case by the owner of the said Tempo and



he being the driver of the same was not aware as to what was kept in the Tempo. It has further been stated in the petition that the petitioner has got no antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the submission of the parties and the fact that the alleged recovery has not been made from the constructive possession of the petitioner rather it has been recovered from tempo which does not belong to the petitioner and the petitioner has got clean antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ***Exclusive Special Excise Judge-II, Sasaram, Rohtas*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear



on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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