

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33764 of 2026

Arising Out of PS. Case No.-20 Year-2024 Thana- BHIMPUR District- Supaul

Vikash Kumar Sah S/O Mahendra Prasad Sah R/O Village-Sirsiya
Hanumanganj, P.S.-Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Shadab Alam Wazdi, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, 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 through virtual mode.

2. The petitioner is apprehending his arrest in connection
with S.T. Excise No. 196 of 2024 arising out of Bhimpur P.S.
Case No. 20 of 2024 dated 19.02.2024 registered for the offence
punishable under Section/s 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

3. As per the prosecution case, the police have recovered
total 108 liters of illicit *Nepali Desi Dilwale Sophie* liquor from
the motorcycle bearing Regd. No. BR38H3412.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. It is next submitted that the motorcycle, from
which alleged recovery of seized article has been made by the



police, was sold out by the petitioner to Maa Ambay Auto and the agreement and statutory form-29 for transfer of vehicle, duly signed by this petitioner as per Rule 55 of the Motor Vehicle Act, have also been appended with the instant anticipatory bail application to show his bonafide that the petitioner is in no way connected with the allegations and, as also, the seizure so made. It is lastly submitted that the petitioner has clean antecedent and whatever allegation is leveled against this petitioner is attributable to the owner of Maa Ambay Auto, who is said to have entered into an agreement on 20th February, 2023.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the motorcycle from which the recovery is said to have been made was sold out to the owner of Maa Ambay Auto on 20th of February, 2023 and, as also, the petitioner having no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four 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 learned Exclusive Special Excise Judge-1,



Supaul in connection with S.T. Excise No. 196 of 2024 arising out of Bhimpur P.S. Case No. 20 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S. 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 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.

(Ajit Kumar, J)

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