

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33761 of 2026

Arising Out of PS. Case No.-131 Year-2026 Thana- CHAKIA District- East Champaran

1. Bikki Kumar @ Vicky Kumar son of Virendar Sah Resident of village- Chanakya Puri, Ps- Chakia, Dist- East Champaran
2. Rohit Kumar son of Ramnath Sah Resident of village- Chanakya Puri, Ps- Chakia, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Chakia P.S. Case No. 131 of 2026 dated 30.03.2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, the Police have recovered total 95.76 liters of illicit English liquor from the alleged place of occurrence (garden).

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the



present case. Counsel for the petitioner submits under the seized articles are in no way connected with the petitioners and the same has been recovered from the open place which is accessible to general public. It has further been submitted that petitioner No. 1 has one criminal antecedent akin to the present one in which he is on bail whereas petitioner No. 2 has two criminal antecedents akin to the instant case in which he is also on bail.

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

6. Having heard learned counsel for the parties and considering the fact that the alleged recovery of seized article has been made from the open place, accessible to general public, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.3, Civil Court, East Champaran at Motihari, Bihar in connection with Chakia P.S. Case No. 131 of 2026, subject to the conditions 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 their bail bonds 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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