

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37459 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- RS P.S. District- Madhubani

Vikash Kumar Jha S/o Govind Kumar Jha @ Govind Jha @ Govind Kumar
R/o Village - Behat, P.S. - Jhanjharpur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Vinod Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.04.2026 in connection with RS P.S. (Jhanjharpur) Case No.
37 of 2026, F.I.R. dated 01.04.2026 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 274 and 275 of the BNS, 2023.

3. Recovery is of 36 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has



been made from the tempo in question and petitioner is not the owner of the said tempo. He further submits that the petitioner has no concern at all from the recovery of the illicit liquor and he has been made accused in the present case merely on the basis of suspicion as well as his previous criminal antecedents of similar nature. The petitioner is in custody since 01.04.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the tempo in question and petitioner was apprehended from the place of occurrence. Apart from that the petitioner carries four criminal antecedents of similar nature other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge Excise, Jhanjharpur, Madhubani in connection with RS P.S. (Jhanjharpur) Case No. 37 of 2026 subject to 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 absence on two consecutive dates without sufficient reason, his 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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