

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38140 of 2026

Arising Out of PS. Case No.-102 Year-2026 Thana- EXCISE MASAUDHI District- Patna

Vikash kumar son of Late Lalbabu yadav Resident of Village- Kumharar
Gobar Toli P.S- Agamkaun Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the State : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Excise P.S. Masaurhi Case No. 102 of 2026 registered for the
offence under Sections 30(a), 32(3) and 45 of the Bihar
Prohibition and Excise Amendment Act.

3. As per the prosecution case, the recovery is of 240
liters of illicit liquor from the motorcycle. The name of the
petitioner has come in the statement of the co-accused.

4. It has been submitted by the learned counsel for
the petitioner that the petitioner is innocent and he has falsely
been implicated in this case. The petitioner claims clean
antecedents.

5. Learned counsel for the petitioner submits that



the petitioner is ready to donate Rs. 25,000/- in some charitable organization without accepting his guilt.

6. Considering the aforesaid fact, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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 Special Excise Judge-II, Patna/ concerned Court below in connection with Excise P.S. Masaurhi Case No. 102 of 2026, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramakrishna Mission Ashrama, Ramakrishna Avenue, Nala Road Patna, Bihar and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. As the petitioner claims to have clean antecedent, the Court below, before accepting the bail bonds of the



petitioner is directed to verify the antecedent of the petitioner. If the petitioner is found to be involved in any other case then the bail bonds of the petitioner shall not be accepted.

10. As a condition of this order, the petitioner, after being released on anticipatory bail, is directed to mark his attendance at Agamkuan Police Station, District-Patna on the first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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