

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37626 of 2026

Arising Out of PS. Case No.-153 Year-2026 Thana- GHORASAHAN District- East
Champaran

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Vicky Kumar @ Bikki Kumar S/o Mohan Raut Resident of Village - Amwa,
P.S. - Ghorahasan, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Ujjwal Kumar Singh, learned counsel
for the petitioner and Mr. Abhay Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.04.2026 in connection with Ghorasahan P.S. Case No. 153 of
2026, F.I.R. dated 04.04.2026 for the offences punishable under
Section 317(5) of Bharatiya Nyay Sanhita, 2023 and Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 239.40 liters of Nepali 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 the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not



committed any offences as alleged in the F.I.R. He next submits that seizure list witnesses are police personnels so there is non-compliance of Section 103 of BNSS. He next submits that the seizure list was prepared on 04.04.2026 at 22.50 P.M but the FIR was instituted on 04.04.2026 at 23.30 P.M which shows that seizure list was prepared prior to the institution of the FIR. The petitioner is in custody since 05.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries five criminal antecedents other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said 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 Excise Court No-03, I/C East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 153 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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