

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44095 of 2026

Arising Out of PS. Case No.-209 Year-2026 Thana- TARAIYA District- Saran

Vivek Kumar Son of Nandkumar Sah Resident of Village - Achitpur, Police
Station - Isuapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soban Ashgar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Taraiya P.S. Case No. 209 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioner was apprehended with allegation of transporting 47.520 litres of foreign liquor on an E-rickshaw.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was apprehended on suspicion as he was merely a passenger and has nothing to do with the seized liquor



or the E-rickshaw. The driver of the E-rickshaw fled away leaving behind the petitioner in the E-rickshaw. The petitioner is having antecedent of one case of similar nature in which he is on bail. The petitioner is in custody since 21.05.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 03, Saran at Chapra/concerned Court in connection with Taraiya P.S. Case No. 209 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three



consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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