

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42559 of 2026

Arising Out of PS. Case No.-502 Year-2026 Thana- EXCISE DANAPUR District- Patna

Vicky Kumar, aged about 20 years, Male, Son of Raj Kumar Thakur, Resident of Village - Balua Kathauti, P.S.- Maner, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Special Excise Sadar P.S. Case No. 1363 of 2026 arising out of Danapur Excise P.S. Case No. 502 of 2026 instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation in the FIR, on search, total 126 liters of illicit country made liquor was recovered from the scooty bearing Registration No. BR01JF-4803.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of suspicion. He submits that the petitioner is not involved in any kind of offence as alleged in the FIR. He further submits that



nothing has been recovered from the conscious possession of the petitioner rather the recovery is from the Scooty. He next submits that the petitioner is neither the owner nor he was driving the alleged seized scooty. Petitioner has got clean antecedent as stated in para 3 of the bail petition and he is in judicial custody since 30.04.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and the impugned order of the learned Special Excise Judge Danapur, Patna dated 21.05.2026, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant, Rajesh Kumar Patel, Sub-Inspector Excise Department, Danapur, Patna FIR has been registered under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018 against the present petitioner and the allegation is of recovery of illicit country made liquor. From perusal of seizure list, it also appears that there is no any independent witness of the seizure, petitioner is under custody since 30.04.2026 having got clean antecedent as stated in para 3 of the petition, so considering all these aspects of the case and submission of learned counsel for



the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge Danapur, Patna in connection with Danapur Excise P.S. Case No. 502 of 2026.

(Ramesh Chand Malviya, J)

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