

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43430 of 2026

Arising Out of PS. Case No.-155 Year-2026 Thana- PHULPARAS District- Madhubani

Vikas Kumar @ Vikash Kumar S/o Shiv Kumar Yadav R/o - Sugapatti, P.S -
Phulparas, District - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Phulparas P.S.
Case No.155 of 2026 registered under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 36 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the recovery of alleged illicit liquor was
made from bathroom(house) of the petitioner. It is also



submitted that the house of the petitioner is a joint family property and the house is not in the exclusive possession of the petitioner. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in two more criminal cases, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Judge



Excise, Jhanjharpur, in connection with Phulparas P.S. Case No.155 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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