

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49343 of 2026

Arising Out of PS. Case No.-193 Year-2026 Thana- Excise P.S. District- Araria

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Vivek Kumar Son of Vinod Sah @ Binod Sah Resident of Village- Sukhashan
Manhara ward no. 10, P.S.- Singheshwar , District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Araria Excise P.S. Case
No. 193 of 2026 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 60 liters liquor
was recovered from car and the petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner



has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is owner as well as driver of the car and he has been falsely implicated by the police personnel due to ulterior motive. The petitioner is in custody since 27.05.2026 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria Excise P.S. Case No. 193 of 2026 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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