

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48109 of 2026

Arising Out of PS. Case No.-134 Year-2026 Thana- SARAI RANJAN District- Samastipur

Vikash Kumar @ Vikash Jha son of Late Ram Babu Jha @ Late Rambabu Jha
Resident of ward no. 09, Vill- Mosinghpur, Mosingpur, Harpur Barheta,
Harpur Barheta, P.S. Sarairanjan, Dist Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sarairanjan P.S. Case No.134 of 2026, F.I.R dated 25.05.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 25.05.2026 at about 09:30 A.M., the informant, along with the police party, left the police station for routine patrolling and raids against illicit liquor. At about 04:30 P.M., while near Sarairanjan Chowk, the police allegedly received secret information that the accused persons, namely Vikash Kumar, Ankit Maharaj and Ashish



Kumar, were engaged in the illegal manufacture and sale of foreign liquor from behind the house of accused Vikash Kumar situated at Village-Morasandpur, P.S.-Sarairanjan, District-Samastipur. Acting upon the said information, the police party proceeded to the place of occurrence, where, on seeing the police, the accused persons allegedly fled away and escaped by taking advantage of the nearby maize field and bushes. Thereafter, the police conducted a search of the premises of accused Vikash Kumar and allegedly recovered 28.950 liters of foreign liquor, empty bottles, labels, caps, wrappers and other articles used for manufacturing and packing illicit liquor, which were seized under a seizure list prepared in presence of the seizure witnesses.

4. Learned counsel for the petitioner submits that the place of recovery is from a *bathan* belonging to the petitioner, which is an open space and access to general public cannot be ruled out. It has further been submitted that the petitioner has falsely been implicated in the present case and the name of the petitioner has transpired on the basis of secret information. It has lastly been submitted that the petitioner has three criminal antecedent but he is on bail in all the said cases.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the petitioner has three criminal antecedent but he is on bail in all the said cases, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Samastipur, in connection with Sarairanjan P.S. Case No.134 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- (i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;
- (ii) the petitioner(s) shall appear on each and every



date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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