

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51171 of 2026

Arising Out of PS. Case No.-229 Year-2026 Thana- HAJIPUR SADAR District- Vaishali

Vikash Kumar S/O Gopal Prasad Singh R/O Village- Sare, P.S.- Sare, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No. 229 of 2026, registered for the offenses punishable under Sections 274, 275 of the B.N.S. and 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. Suspecting that a Winger vehicle is carrying some illicit wine, the police intercepted the same and in course of search, total 555.165 liters of Indian made foreign liquor was recovered. The driver of Winger vehicle has been apprehended from the place of occurrence.

4. Learned Advocate for the petitioner submits that the name of the petitioner has been implicated in this case by



virtue of he being the owner of the Winger vehicle. In fact the said vehicle was being run for the purposes of carrying passengers by the driver and the petitioner was not even acquainted with the fact that the vehicle was being used for the purpose of carrying illicit wine. It is further contended that prior to the alleged occurrence the petitioner has sold the vehicle on 23.02.2026 to one Chandan Kumar, however, the said sale deed could not be carried out in the office of the District Transport Officer. It is further contended that, be that as it may, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the use of the petitioner's vehicle in crime clearly suggests his complicity.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the vehicle was being run for the purposes of carrying passengers and prior to the alleged occurrence, the petitioner has sold the same, besides the fair antecedent of the petitioner as well as lack of materials which attract the rigors to maintain the anticipatory bail, as also the defiance of Section



103 and 105 of BNSS, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 229 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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