

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65168 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- Baijnathpur District- Saharsa

Twinkle Bhagat @ Vivek Kumar, Son of Upendra Bhagat, resident of D.B.
Road, Machhali Market, P.S.- Saharsa, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, Addl. P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 06-01-2026 Heard the learned counsel for the petitioner and the
learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with Baijnathpur P.S. Case No. 47 of 2025 registered for the offence(s) punishable under Section(s) 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police during the checking of the vehicles recovered 40 liters of cough syrup from a car owned by the petitioner, namely, Twinkle Bhagat @ Vivek Kumar.

4. The learned counsel for the petitioner submits that the petitioner has not been apprehended at the place of



occurrence though incriminating article was recovered. It has further been submitted that the petitioner has falsely been implicated in this case only because he is the owner of the car from where such recovery has been made. It has lastly been submitted that the petitioner carries six criminal antecedents and he is in custody since 07.07.2025.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Baijnathpur P.S. Case No. 47 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution



shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Saharsa within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

U		T	
---	--	---	--

