IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74718 of 2026

CNR No. BRHC011077272026

Arising Out of PS. Case No.-568 Year-2026 Thana- VAISHALI District- Vaishali

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Ram Pravesh Kumar @ Ram Pravesh Sahni S/o Brahma Sahani R/o Village-Alhadadpur, P.S- Vaishali, Distt.- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the State : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The present petition has been filed on behalf of the petitioner under Section 482 of the B.N.S.S. for anticipatory bail apprehending his arrest, in connection with Vaishali P.S. Case No. 568 of 2026, dated 07.08.2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022. Similar application filed by the petitioner has been rejected by learned Court of Sessions vide order dated 24.09.2026, passed in A.B.P. No. 2717 of 2026.

3. As per allegation, the police got secret information that the petitioner and other two co-accused sale illicit liquor near a dam. When the police reached the place of recovery, all

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the three accused persons started fleeing away. However, one accused/Mukesh Kumar was apprehended and other persons were successful to flee away, and as per his confessional statement, the petitioner was also involved in the illegal trade of contraband, and total 20 litre of illicit liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that no recovery has been made from the possession of the petitioner or from his house and he has nothing to do with the alleged offence. The recovery has been made from a public place accessible to the public at large.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed,** directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender

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before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Vaishali P.S. Case No. 568 of 2026, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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