IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79823 of 2026

CNR No. BRHC011125342026

Arising Out of PS. Case No.-60 Year-2026 Thana- Dhanauti District- Siwan

==========

Vikash Ram Son of Chhotelal Ram Resident of Village- Golimapur, Sermaria, P.S.- Nautan, Distt.- Siwan

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

==========

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Dhanauti P.S. Case No. 60 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per allegation, 81 litres of country-made liquor was recovered from a motorcycle, bearing Registration No. BR29Z-2254.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. Nothing has been recovered from his conscious physical possession.

WEB COPY

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. From the reading of the allegation levelled in the FIR, it appears that nothing was recovered from conscious physical possession of the petitioner because the petitioner is alleged to have fled away when the motorcycle was intercepted. The search and seizure memo has not been witnessed by any independent witnesses, rather it has been witnessed by police personnel, who are part of the raiding party, which casts a doubt over the genuineness and validity of the search and seizure itself. There is also no criminal antecedent against the petitioner. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Siwan in connection with Dhanauti P.S. Case No. 60 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition

WEB COPY

that :-

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

kundan/-

U		T	

WEB COPY