

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87439 of 2025**

Arising Out of PS. Case No.-252 Year-2024 Thana- SABAUR District- Bhagalpur

Vikash Kumar @ Sawan Kumar @ Vikash Sah S/o Late Munna Sah R/o  
Village- Chhandi Prasad lane Sikanderpur, P.S.- Mojahidpur, District-  
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      15-01-2026                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner apprehends arrest in connection with  
Sabour P.S. Case No. 252 of 2024, registered under Section  
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 53.625 liters  
liquor was recovered from tempo.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. Learned counsel  
for the petitioner also submits that the petitioner was not



arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused and the same has got no evidentiary value. It is submitted that the petitioner is neither owner nor driver of the tempo in question. Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 21.11.2024 passed in Cr. Misc. No. 81332 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sabour P.S. Case No. 252 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,  
2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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