

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90675 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- Benibad District- Muzaffarpur

Vikash Kumar Son of Rajkishor Ray Resident of Village- Aura, P.S.- Sheohar,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sagar Kumar, Advocate Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Benibad P.S. Case No. 120 of 2025 instituted for the
offence under Section 317(5) of B.N.S. and Section 30(a) of
Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the vehicle
which is owned by this petitioner, altogether 478.8 liters of
country made foreign liquor was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. Learned counsel has further submitted that as he is the owner of the said vehicle, he has been impleaded in this case. Nothing has been recovered from his possession and also he has no concern in any way with the alleged recovery. He has further submitted that he has given his vehicle to one Santosh and he has misused the vehicle of the petitioner and Santosh Kumar has already been granted bail by this court vide Cr. Misc. No. 68373 of 2025.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail **with a condition that the petitioner will not indulge in similar nature of offence in future.** The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Benibad P.S. Case No. 120 of 2025, he will 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 Special Judge, Excise-III, Muzaffarpur



subject to the conditions as laid down under section 482(2) of
B.N.S.S.

(Ashok Kumar Pandey, J)

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