

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66081 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- SHEKHPURA District- Sheikhpura

Shivam Kumar @ Shivam Chaudhary, S/o Late Vinod Chaudhary, Resident of
Village- Wajidpur, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Sheikhpura P.S. Case No. 226 of 2025 registered for the alleged offence under Section 30 (a) (c) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, police received information about the petitioner selling illicit liquor from his house. On raid, police found some equipments for manufacturing of illicit liquor in the house of the petitioner and recovery of 6 liters of country made liquor was made. The petitioner was apprehended from the bushes when the police went in search for him.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person/possession of the petitioner. The recovery shown from the petitioner is planted. There is complete violation of Section 103 of BNSS. The petitioner is in custody since 12.08.2025 and is having antecedent of four cases.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and no recovery has shown from him and further considering the period of custody of the petitioner, the petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Sheikhpura, in connection with Sheikhpura P.S. Case No. 226 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be the close relative



of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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