

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15101 of 2026**

Arising Out of PS. Case No.-89 Year-2025 Thana- Bhittha District- Sitamarhi

Shiva Kumar S/o Ramudar Ray R/o vill - Temua, ward no 8, P.S.- Pupri,  
Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      01-05-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection with Bhittha P.S. Case No.89 of 2025 registered for the offence punishable under Section 317(5) of the BNS and under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that from a vehicle altogether 540 liter of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is the driver of the said vehicle. It has further been submitted that the petitioner was unaware of the alleged liquor. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner



has submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 21.11.2025.

5. The application for bail is opposed by learned APP for the State. Learned APP has submitted that the petitioner is having criminal antecedent of one case of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Court-2, Sitamarhi, in connection with Bhittha P.S. Case No.89 of 2025.

**(Ashok Kumar Pandey, J)**

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