

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19746 of 2026

Arising Out of PS. Case No.-59 Year-2026 Thana- Excise P.S. District- Lakhisarai

Shambhu Kumar @ Shambhu Paswan S/O Late Garib Paswan R/O Mohalla -
Khaira Mahsoni, Ward No.- 14, P.S- Piri Bazar, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Kumar, Advocate
		Mr. Piyush Priyanshu Kumar, Advocate
For the Opposite Party/s	:	Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the possession of this petitioner, altogether 5 liters of country made liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. He has been falsely implicated in this case. There is no independent witness



of the seizure list rather he is police personnel. Police has not followed Section 105 of BNSS while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 28.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and submitted that petitioner is having criminal antecedent of three cases 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 released on bail in connection with Excise Case No. 59C2 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Lakhisarai **with a condition that the petitioner will not indulge in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

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