

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21946 of 2026

Arising Out of PS. Case No.-88 Year-2026 Thana- KOCHADHAMAN District- Kishanganj

Sheel Kumar @ Shil Kumar Son of Jagwali Roy @ Jagbali Rai Resident of
Village - Musapur Ward No. 08, Police Station- Ghatho, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard Mr.Shashank Shekhar, learned counsel for the
petitioner and Ms.Pronoti Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
16.02.2026 in connection with Kochadhaman P.S. Case No. 88
of 2026, F.I.R. dated 16.02.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2018.

3. Recovery is of 404.00 liters of Indian made foreign
liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR as well as the seizure list
that nothing has been recovered from conscious possession of
the petitioner rather the recovery has been made from the
vehicle in question and altogether 404.00 liters of Indian made



foreign liquor was recovered from the vehicle in question. Further submits that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and co-accused person, namely, Ashish Kumar, who was apprehended alongwith the petitioner, has been granted bail by this Court vide order dated 31.03.2026 passed in Cr. Misc. No.19453 of 2026 co-accused person, namely, Harsh Raj, has been granted bail by this Court vide order dated 17.03.2026 passed in Cr. Misc. No. 16800 of 2026 and the petitioner is in custody since 16.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail 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-I), Kishanganj in connection with Kochadhaman P.S. Case No. 88 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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