

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22942 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- SAHODARA District- West Champaran

Umesh Kumar S/o Ramsharan Mahto R/o Village- Belsandi, P.S- Gaunaha,
Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sahodara P.S. Case No. 34 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a bike that was being driven by the petitioner, altogether 111 liters of illicit Nepali kasturi country-made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are



police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He also submits that the petitioner is not the owner of the said bike. He further submits that the petitioner is languishing in judicial custody since 20.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of two cases.

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 learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran in connection with Sahodara P.S. Case No. 34 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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