

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25031 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- ARARIA District- Araria

Shivjee Kumar Son of Sukeshwar Mahto Resident of Village- Khurd Ward
No. 02, P.S.- Kanja (Karja), District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Araria P.S. Case No. 65 of 2026 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition &
Excise Act.

3. The case of the prosecution, in short, is that from a
car, altogether 153.300 liters of illicit foreign 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 as per the case of the prosecution,
there were two persons in the car and one of them managed to



escape. Petitioner is merely a driver. He further 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. Moreover, the petitioner is languishing in judicial custody since 08.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has 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 learned Exclusive Special Judge, Excise-I, Araria in connection with Araria P.S. Case No. 65 of 2026.

(Ashok Kumar Pandey, J)

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