

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23502 of 2026

Arising Out of PS. Case No.-98 Year-2026 Thana- SITAMARHI District- Sitamarhi

Krishna Sharma Son of Pawan Kumar Sharma Resident of Village-
Leharipatti, Old Exchange Road, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 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 Excise Act.

3. The case of the prosecution is that altogether 236.73 liters of illicit foreign liquor was recovered from an open place near the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of this petitioner rather the same has been recovered from an open place. It is further submitted that all the witnesses to the seizure



list are police personnel and the police have not complied the mandatory provision of Section 105 of the BNS at the time of seizure. Moreover, the petitioner is languishing in judicial custody since 14.02.2026 having three criminal antecedents.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid 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 Sitamarhi P.S. Case No. 98 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 Excise Court No. 2, Sitamarhi/concerned Court.

(Ashok Kumar Pandey, J)

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