

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23961 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- SAHIYARA District- Sitamarhi

Kalu Kumar S/O Raju Mandal R/O- Village- Kowari Madan (Kuari Madan),
Ward No. 05, P.S- Mejourganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Pallav Kumar Singh, Advocate Ms. Priya Kumari, Advocate
For the Opposite Party/s :		Mr. Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Sahiyara P.S. Case No. 21 of 2026 dated 23.02.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act and Section 317(5) of B.N.S.

3. As per the allegation, total 126 litres of illicit country-made liquor was recovered beneath the driver seat of E-rickshaw. The petitioner being the driver of the said E-rickshaw was arrested.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that petitioner was not aware



of the articles being kept underneath the driver seat. It has further been submitted that petitioner is not the owner of the E-rickshaw and he was plying the same at the instruction of the owner. It has further been submitted that search and seizure is in violation of Section 105 of B.N.S.S. Learned counsel for the petitioner has further submitted that petitioner is in custody since 25.02.2026 and has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case as well as the period of custody, the petitioner above-named is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sahiyara P.S. Case No. 21 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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