

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26818 of 2026

Arising Out of PS. Case No.-144 Year-2026 Thana- BAHADURGANJ District- Kishanganj

Kanhaiya Kumar Sharma S/o Sanjay Sharma Resident of Village- Simra,
Ward No. 6, P.S.- Naugachhia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bahadurganj P.S. Case No.144 of 2026 registered for the offence punishable under Sections 30(a), 32 and 36 of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that from a Suzuki Fronx case altogether 244.40 liter of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is driver of the car and that he has joined his job for the first day when he was apprehended. It has further been submitted that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner has further submitted that the witnesses of the



seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been submitted that petitioner is in judicial custody since 09.03.2026.

5. The application for bail is opposed by learned APP for the State. Learned APP has submitted that the petitioner is having 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 court of learned Exclusive Special Judge, Excise court no.1, Kishanganj in connection with Bahadurganj P.S. Case No.144 of 2026.

(Ashok Kumar Pandey, J)

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