

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27355 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Bhittha District- Sitamarhi

Basiruddin Haider @ Md. Lal Babu Sheikh S/o Late Md. Ijhar R/o Village -
Gadha Jogiya, ward no. 2 @ Yogia Garha, P.S. - Pupri, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, 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 regular bail in connection with Bhittha P.S. Case No. 18 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 altogether 1413 liters of illicit Nepali country-made liquor was recovered from a Bolero pick-up van.

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. Petitioner is the driver of the car and he was unaware of the alleged liquor kept in the pick-up van. 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. Petitioner has one criminal antecedent of similar nature. Moreover, the petitioner is languishing in judicial custody since 25.02.2026.

5. The application for regular bail is opposed by learned APP for the State.

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 Excise, Court No. 2, Sitamarhi, in connection with Bhittha P.S. Case No. 18 of 2026.

(Ashok Kumar Pandey, J)

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