

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28559 of 2026

Arising Out of PS. Case No.-723 Year-2025 Thana- HARSIDHI District- East Champaran

Dilkhush Kumar @ Dillkhush Kumar S/o Sam Bihari Ram @ Shyam Bihari Ram R/o Village- Utari Madhubani, Dariyapur, P.S- Sangrampur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2026 Heard Mr.Madhurendra Kumar, learned counsel for the petitioner and Mr.Syed Mojibur Rahman, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 08.02.2026 in connection with Harsidhi P.S. Case No. 723 of 2025, F.I.R. dated 24.10.2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Recovery is of 200 liters of country made liquor.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. Further submits that it appears from the FIR as well as the seizure list that the recovery has been made from the vehicle in question and



Bamboo which was situated in Bamboo Orchard. As per allegation in the FIR, the petitioner has escaped from the place of occurrence. The name of the petitioner has been transpired during investigation on the basis of the disclosure made by the local Chaukidar. Learned counsel for the petitioner submits that the petitioner is not the owner of the Tempo in question and co-accused persons, namely, Nandu Sahani @ Nandu Kumar and Laddu Sahani @ Krishna Mohan Sahani have been granted bail by this Court vide orders dated 03.04.2026 and 25.03.2026 passed in Cr. Misc. Nos.18499 of 2026 and 19682 of 2026 respectively and the petitioner is in custody since 08.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact and petitioner has clean antecedent, let the petitioner, above named, be released on bail 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.-1, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 723 of 2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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