

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27853 of 2026

Arising Out of PS. Case No.-113 Year-2026 Thana- SIKARPUR District- West Champaran

Bittu Kumar @ Aditya Kumar S/O Narayan Sah R/o Village -naya Tola
Prakash Nagar, Ward No 13 Police Station - Shikarpur District - West
Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2026 Heard Mr. Sarvesh Kashyap, learned counsel for

the petitioner and Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.02.2026 in connection with Shikarpur P.S. Case No. 113 of
2026, F.I.R. dated 31.01.2026 for the offences punishable under
Section 30(a), 32(ii), 36, 41(i) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 4437 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Petitioner is not named in the FIR
and his name transpired during investigation on the basis of



confessional statement of co-accused, namely, Rajesh Kumar and except the disclosure made by apprehended co-accused persons, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from truck in question and the petitioner is neither the owner nor the driver of the truck in question. The petitioner is in custody since 03.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 113 of 2026, subject to 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 absence on two consecutive dates without sufficient reason, his 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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