

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30502 of 2026

Arising Out of PS. Case No.-224 Year-2025 Thana- NIRMALI District- Supaul

Tribhuwan Thakur @ Tribhuvan Thakur S/O Kapaleshwar Thakur R/O Vill.-
Hariraha, P.s.- Anhramath, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 26.03.2026 in connection with Nirmali P.S. Case No. 224 of 2025 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. The case of the prosecution, in brief, is that this instant F.I.R. has been institute on the basis of a self- prepared written report prepared and submitted by one Nihal Kumar who states and submits in his report that on 16/12/2025 at about 15: 20 P.M. when the informant was on patrolling duty along with other police officials then he got a secret information that three persons namely Om Prakash Yadav, Tribhuvan Thakur and the present petitioner is bring the consignment of illicit liquor from



outside and all of them are indulge in illegal storage and transportation of liquor. And after that it is further alleged for verification of the aforesaid information the informant along with other police officials have reached near Hariyahi Pul then after approx. 15 minutes he found that three motorcycles is coming from Hatiya Pul side and upon seeing the police vehicles has turned back and tried to fled away out of which with the help of raiding team one person along with three motorcycles was apprehended. And after that it is further alleged that. upon enquiry from the apprehended person he discloses his name as Om Prakash Yadav and the persons who fled away were identified as Tribhuvan Thakur (petitioner) and Sohith Kumar Yadav. And after that it is further alleged that two motorcycles in which on one Hero Splendor Tribhavan Thakur and on Glamour motorcycle Sohith Kumar Thakur were sitting and both of them fled away by leaving their motorcycles on the spot and there was no any independent witness available on the spot. And after that two persons from the police party were made as independent witness and in presence of them the search and seizure process has been initiated and during which three motorcycles out of which one T.V.S. BR-11AJ-6374, Apache bearing its registration no. Engine no. CE4DK2308107 and



Chasis no. MD634CE45K2D08556 has been recovered from the person apprehended out of which in total 108 liters of illicit liquor and after that in total 324 liters of Nepali Country made liquor and three motorcycles one Apache, one Splendor motorcycle bearing its engine no HA10AGLHAF0149 and Chasis no. MBLHAW090LH70303 and one Glamour motorcycle bearing its registration no. JA06EHH9G14167 and Chasis no. MBLJAR017H9G03164 were alleged to be recovered from the spot and after that seizure list was duly made in accordance with law and a copy of the alleged seizure has been handed over to the apprehended person and thereafter the apprehended person along with three motorcycles was bring to the police station and hence the F.I.R.

4. Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR and the name of the petitioner has transpired on the basis of confessional statement of co-accused, Om Prakash Yadav @ Om Prakash Kumar and except the confessional statement of co-accused person nothing has come to suggest the involvement of petitioner in the present occurrence and the said Om Prakash Yadav who has confessed the name of the petitioner has been granted bail vide order dated 31.01.2026 passed in Cr. Misc. No.



5685 of 2026 and petitioner is in custody since 26.3.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case but fairly submits that petitioner is on bail in the pending matter.

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 Special Exclusive Court-II, Supaul in connection with Nirmali P.S. Case No. 224 of 2025, 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)

Gaurav Sinha/-

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