

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32533 of 2026

Arising Out of PS. Case No.-33 Year-2026 Thana- ALINAGAR District- Darbhanga

Sharwan Kumar@Sharwan Kumar Deo @ Sharvan Kumar Deo S/o
Chandrakant Lal Dev @ Luchailal Dev @ Chandrakant Prasad Dev R/o
Village - Tikapatti, P.S - Ali Nagar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Ali Nagar PS. Case No. 33 of 2026 dated 15-03-2026 instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The allegation is of recovery of 25.200 litres of
illicit Nepali liquor from a pond situated beside the house of
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered either from the conscious possession of the
petitioner or from his house; rather, the alleged illicit Nepali



liquor was recovered from a pond situated beside the house of the petitioner, which is an open place accessible to one and all. The petitioner has no concern whatsoever with the seized illicit Nepali liquor. Lastly, it is submitted that the petitioner has one criminal case pending against him, which is stated to have been disposed of by the *Lok Adalat* on 13.09.2025.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge II (Excise Act), Darbhanga, in Ali Nagar PS. Case No. 33 of 2026, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita 2023*.

7. The application stands allowed.

(Khatim Reza, J)

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