

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34856 of 2026

Arising out of PS. Case No.-49 Year-2026 Thana- BIRPUR District- Supaul

1. Sharvan Kumar @ Sharvan Kumar Mehta S/O Lakhan Mehta R/O Vill.- Bauraha, P.S.- Birpur, Dist.- Supaul
2. Raju Kumar S/O Chandan Mehta R/O Vill.- Bauraha, P.S.- Birpur, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhumala Kumari, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL

ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in Birpur P.S. Case No. 49 of 2026 registered for an alleged offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is that 171 litres of Nepali liquor was recovered from two Motorcycles and the petitioners are the owners of the said vehicles.

4. Learned counsel for the petitioners submits that nothing incriminating article was recovered from the conscious possession of the petitioners. He further submits that the petitioners have no criminal antecedents and are in custody since 31.01.2026.

5. Learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail of the petitioners.

6. Considering that the alleged recovery was not recovered from the conscious possession of the petitioners and the petitioners are in custody since 31.01.2026 having no criminal antecedents, this Court is inclined to grant bail to the petitioner.

7. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court of Special Exclusive Court No. II, Supaul in connection with Birpur P.S. Case No. 49 of 2026 .

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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