

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39153 of 2026**

Arising Out of PS. Case No.-1114 Year-2026 Thana- EXCISE KAHALGAON District-
Bhagalpur

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Shiv Kumar @ Shiv Kumar Sah S/O Ramchandra Sah Resident of Village-
Pilkhi, Ward No- 12, PS- Sakra, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise (Kahalgaon) P.S. Case No.1114 of 2026 dated 06.05.2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation, a car was intercepted, petitioner and co-accused Chandan Kumar were found seated in the vehicle, while petitioner was found driving the vehicle. It has been alleged that altogether 120.60 liters of foreign liquor was recovered from the car.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that the petitioner happens to be the driver of the car from which the alleged recovery has been made. It has further been submitted that the petitioner being a driver, he was not aware that the consignment contained illicit liquor. It has further been submitted that the search and seizure as procedures prescribed under Section 103/105 of the B.N.S.S. have not been followed with. It has further been submitted that the petitioner has got clean antecedent. It has lastly been submitted that the petitioner has been in custody since 07.05.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Heard the parties and perused the records.

7. Considering the facts and circumstances of the case as well as the period of custody, the petitioner above-named is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned,



Bhagalpur, in connection with Excise (Kahalgaon) P.S. Case No.
1114 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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