

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38747 of 2026

Arising Out of PS. Case No.-278 Year-2025 Thana- BIHRA District- Saharsa

Tribhuwan Kumar Sah @ Narayan Sah @ Tribhuwan Sah S/O Late Ganesh
Sah R/O Village - Bihra ward no.- 5, P.s- Bihra, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-06-2026 Heard Mr. Chandra Mohan Jha, learned counsel for
the petitioner and Mr. Ganesh Prasad Singh, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
28.04.2026, in connection with Bihra P.S. Case No. 278 of
2025, F.I.R. dated 29.11.2025 registered for the offences
punishable under Sections 30(a), 41 of Bihar Prohibition &
Excise Act.

3. Recovery is of 546 litres of illicit *Wiscof cough*
Syrup.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that initially the petitioner was
not named in the F.I.R. and the name of the petitioner has been



transpired during investigation. The petitioner was arrested in connection with Bihra P.S. Case No. 138 of 2026 in which he has confessed his guilt in the present case and except the aforesaid, nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused person namely, Vicky Kumar has been granted bail by this Court vide order dated 10.04.2026 passed in Cr. Misc. No. 13624 of 2026, another co-accused persons namely, Sonu Ram @ Sonu and Nitish Kumar have been granted bail by this Court vide order dated 31.03.2026 passed in Cr. Misc. No. 19410 of 2026 respectively. The petitioner is in custody since 28.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released 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 I/C Exclusive Special (Excise) Judge-II, Saharsa in connection with Bihra P.S. Case No. 278 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

Ibrar//-

(Rajesh Kumar Verma, J)

U		T	
---	--	---	--

