

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42970 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- ATHMALGOLA District- Patna

Shivam Kumar @ Shivam Kumar Singh S/o Shailendra Singh @ Shailendra Kumar Singh R/o Village-Gangjala(Gangajal), P.S-Saharsa Sadar, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-02-2026 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Athmalgola P.S. Case No. 418 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 281, 125, 338, 3(5) of BNS.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of 110 litres of Windlas syrup.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that the name of this petitioner transpired on the basis of disclosure made by apprehended co-accused person namely, Md. Salam. It is submitted that in furtherance of aforesaid suspicion/disclosure nothing incriminating material recovered during investigation as to connect petitioner *prima-facie* with present recovery. It is also pointed out that the seizure list appears disputed as same not appears supported by independent witnesses rather by police personal. While concluding arguments, it is submitted that petitioner found involved in one more criminal case out of property dispute where he is on bail.

5 Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of syrup has not been made from the conscious physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to



be released on bail, furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Exclusive
Spl. Judge Excise, Barh, Patna /concerned Court, where
the case is pending in connection with Athmalgola P.S.
Case No. 418 of 2024, subject to the conditions as laid
down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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