

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41511 of 2026**

Arising Out of PS. Case No.-1034 Year-2026 Thana- Excise P.S. District- Sitamarhi

1. Shivam Kumar S/o Ajay Kumar Gupta R/o Village - Minapur Balha, Ward No. - 12, P.S - Piprahi, District - Sheohar
2. Harikishor Kumar S/o Ushichandra Ray R/o Village - Kharka, Ward No.20, P.S - Punaura, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      25-06-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seek regular bail in a case registered  
for the offence under Sections 30(a) and 32(3) of the Bihar  
Prohibition & Excise (Amendment) Act, 2018.

3. The recovery is of 495 litres of illicit Nepali liquor  
from a vehicle.

4. Learned counsel for the petitioners submits that the  
petitioners are innocent and have falsely been implicated in this  
case. Petitioner no. 1 has no criminal antecedent and petitioner  
no. 2 has five criminal antecedents. He further submits that the  
petitioners are in custody since 05.05.2026 without any fault.



5. Learned counsel for the petitioners also submits that the petitioners are ready to donate Rs.25,000/- each in some charitable organization without accepting their guilt.

6. Learned APP appearing for the State opposes the prayer of the petitioners for grant of bail.

7. Considering the facts and circumstances of the case as well as the submissions of learned counsel for the petitioners, this application is allowed.

8. Let the petitioners, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Exclusive Excise Court-II, Sitamarhi/ concerned Court below, in connection with Excise Sitamarhi P.S. Case No. 1034 of 2026.

9. This is also subject to the condition that the petitioners shall deposit an amount of Rs. 25,000/- each in Ramakrishna Mission Ashrama, Bela, Muzaffarpur and produce the receipt of the same before the Court below. The bail bonds of the petitioners shall be accepted after verifying the genuineness of the receipt produced by the petitioners.

10. As a condition of this order, the petitioners after being released on bail, are directed to mark their attendance at



Punaura Police Station, District- Sitamarhi on every Sunday of the month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioners.

(Sandeep Kumar, J)

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