

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42391 of 2026

Arising Out of PS. Case No.-332 Year-2022 Thana- PAROO District- Muzaffarpur

Luv Kush Kumar S/o Sunil Rai R/o Village - Aamba Kathiya, P.S - Mehshi,
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-07-2026 Heard Ms. Nitu Kumari, learned counsel for the

petitioner and Mr. Bishweshwar Ram, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.05.2026 in connection with Paroo (Paru) P.S. Case No. 332
of 2022, F.I.R. dated 07.07.2022 for the offences punishable
under Sections 420, 467, 468, 471, 120(B) of the Indian Penal
Code and 30(a), 31, 32, 41(a) of the Bihar Prohibition and
Excise Act, 2018 and Section 25(1-b)a, 26, 35 of Arms ct.

3. Recovery is of 2176.740 liters of foreign liquor and
four live cartridge and Rs. 10,000/-.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. She further submits that it appears from the F.I.R.



that petitioner was not apprehended at the place of occurrence and his name transpired on the basis of disclosure made by apprehended co-accused person, namely, Tinku Kumar and nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the possession of the said Tinku Kumar and one four wheeler vehicle and except the disclosure made by apprehended co-accused person, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 22.05.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and his name transpired on the basis of disclosure made by apprehended co-accused person, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-II, Muzaffarpur in connection with Paroo (Paru) P.S. Case No. 332 of 2022, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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.

(Rajesh Kumar Verma, J)

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