

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46262 of 2026

Arising Out of PS. Case No.-421 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Shivam Kumar @ Shivan Kumar S/o Jatahu Mahto @ Jathu Mahto R/o
Village - Harpur Barhetta, P.S - Sarairanjan, District - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Khushi Awadh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Dalsingsarai P.S.
Case No.421 of 2023 registered under Section 30(a) of
Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 30 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that recovery of alleged illicit liquor was made
from a bike which was parked outside the house of one



Umesh Thakur. It is also submitted that name of petitioner arrayed solely for the reason that petitioner is the registered owner of motorcycle, which was involved in carrying illegal consignment of liquor. It is further submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also argued that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 the



learned Court of Exclusive Special Judge (Excise), first,
Samastipur, in connection with Dalsingsarai P.S. Case
No.421 of 2023, subject to the conditions as laid down
under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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