

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51930 of 2026

Arising Out of PS. Case No.-130 Year-2026 Thana- SABAUR District- Bhagalpur

Shubham Kumar S/o Kanhay Mandal R/o vill- Daubat @Datbat PS-
Habibpur, Distt.- Bhagalpur ... Petitioner/s

Versus

The State of Bihar Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Surendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner as well as
learned APP on behalf of the State.

2. Petitioner has been made accused in a case registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016 (amendment 2022).

3. As per the allegation made in the F.I.R., 69.3 litres of foreign liquor has been recovered from an Auto-rickshaw.

4. Learned counsel for the petitioner submits that he was neither the driver nor the owner of the said vehicle. He further submits that the provisions of Section 103 and 105 of the B.N.S.S. have not been complied with. The petitioner undertakes not to repeat the offence. He is in custody since 20.04.2026.

5. Learned A.P.P. on behalf of the State has opposed the prayer for bail of the petitioner.



6. Taking into consideration the aforesaid facts and circumstances as also the clean antecedent, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-2nd, Bhagalpur in connection with Sabour, P.S. case No.130/26 subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If petitioner repeats the offence of similar nature, his bail bond shall be liable to be cancelled by Court below after following due process of law.

(Raj Kumar, J)

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