

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50528 of 2026**

Arising Out of PS. Case No.-42 Year-2026 Thana- SEMAPUR District- Katihar

Shivam Poddar @ Shivu S/o Munna Poddar Resident of Village- Hawaii Adda  
Field Gate, P.S.- Shayak, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      23-07-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Semapur P.S. Case No.  
42 of 2026 instituted for the offences under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 37.5 liters  
liquor was recovered from plastic bag.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered  
from the conscious possession of the petitioner. The petitioner  
has got no concern with the alleged recovery of liquor. It is  
submitted that the name of the petitioner has transpired on the



basis of secret information. It is further submitted that recovery is made from the open place accessible to one and all. Charge-sheet has been submitted in this case. The petitioner is in custody since 17.04.2026 and has got four criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Semapur P.S. Case No. 42 of 2026.

**(Rudra Prakash Mishra, J)**

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