

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51727 of 2026

Arising Out of PS. Case No.-184 Year-2026 Thana- MEHSI District- East Champaran

Happy Sharma Son of Anar Singh Resident of village- Shahabad Daulatipur
Gali No 17, PS- Kunj Marg, District -Rihini North West Delhi

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

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

2. The present application has been filed on behalf of the petitioner for grant of regular bail in connection with Mehashi P.S. Case No. 184 of 2026, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on a secret information, police reached at the spot and there was recovery of 293.760 litres of English liquor from the car in question bearing registration no. BR29AC-2468 and this petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case. Petitioner is the driver cum owner of the case and he has



no knowledge that liquor was being carried and the vehicle was hired for transport. Petitioner submits that seizure list was not prepared in presence of independent witness as per law and during course of investigation police has found no material against this petitioner.

5. It is submitted that the petitioner is not involved in the business of sell and purchase of illegal wine. Petitioner has one criminal antecedent and he is in custody since 02.06.2026.

6. Learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge No. 3, Civil Court, East Champaran, Motihari/concerned court in connection with Mehashi P.S. Case No. 184 of 2026, subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.

(ii) Petitioner will co-operate in the trial and will



remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) 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.

(Kumar Manish, J)

Ranjeet/-

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