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IN THE COURT OF SATISH KUMAR JHA,
Incharge SPECIAL EXCISE JUDGE, SHEIKHPURA

B.P No.- 223 /2026
(Arising out of Excise P.S. case no. 90 of 2026)

Kavi Kumar

Vs.

Petitioner

The State of Bihar

opposite party

Contd...2 24.04.2026	verified. Attempts were made to secure independent witnesses from among passersby, but none agreed. Thereafter, members of the raiding team were made witnesses and a search of the e-rickshaw was conducted. During the search, four transparent plastic containers were found under the driver's seat, each containing about 5 liters of country-made liquor (total 20 liters), and an additional 5 liters of liquor was recovered from a plastic bag kept near the battery compartment of the vehicle. Thus, a total of 25.000 liters of illicit liquor was recovered and seized. On verification, the vehicle was found to be a blue auto e-rickshaw with no registration number, having chassis no. ME9B10PWUSG154279. During interrogation, the accused stated that the liquor belonged to Alok Kumar Paswan, son of Bhim Paswan, resident of Vidyapur, P.S. Ariyari, District Sheikhpura, and that he was transporting it for delivery. The accused was arrested at about 03:20 PM after preparation of seizure list and arrest memo at the spot, and all legal formalities were duly complied with. Information regarding his arrest was given to his wife, Puja Devi. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has no criminal antecedent and has been in custody since 16.02.2026. It is also argued that the alleged recovery is not from conscious possession. On the other hand, learned APP for the State has vehemently opposed the prayer for bail. Having heard both the sides. Perused the case record. On perusal it appears that, this Excise P.S. Case No. 90 of 2026 registered under sections 30(a), 56(b) of Bihar Prohibition and Excise Act, 2018 against the accused petitioner and the basic allegations against him is of that a raiding team intercepted an auto e-rickshaw near the Ariyari–Sheikhpura main road and apprehended the accused who was allegedly transporting illicit country-	
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<u>Contd...3</u> 23.04.2026	made liquor. During the search, about 25.000 liters of illicit liquor was recovered from the vehicle. Considering the facts and circumstances of the case, clean antecedents of the accused petitioner and the period of detention undergone by him; this Court is inclined enlarge the accused petitioner on bail. Accordingly, the bail petition filed on behalf of the accused petitioner Kavi Kumar is hereby allowed and he 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 this Court in connection with the aforesaid case, subject to the following conditions: 1. The petitioner shall not indulge in any similar offence during the pendency of the case. 2. The petitioner shall cooperate with the investigation/trial and shall appear before the Court as and when required. 3. The petitioner is directed to file an undertaking supported with an affidavit that accused petitioner has no criminal antecedents earlier if found previously or in future, his bail bond shall be liable to be cancelled. In case of violation of any of the above conditions, the prosecution shall be at liberty to move for cancellation of bail. (The order is dictated, and corrected by me.) (Satish Kumar Jha) I/c Special Excise Judge, Sheikhpura Dated 24.04.2026	
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