

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56168 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- Excise P.S. District- Madhubani

Dinesh Sah @ Dinesh Kumar Sah Son of Ram Chandra Sah R/o - Khajauli
Bazar, Ganesh Road, P.S - Khajauli, District - Madhubani, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-08-2025 Heard Mr. Sanjay Kumar Jha, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.06.2025 in connection with Sadar Excise P.S. Case No. 22 of
2025, F.I.R dated 23.01.2025 registered for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. Recovery is of 139.380 liters of illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that it appears from the F.I.R as
well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has
been made from the house of the petitioner. The petitioner is not



the exclusive owner of the house in question rather the same is the joint house property of the petitioner. Altogether 139.380 literes were recovered out of which 45 litres was Nepali country made liquor and rest was foreign liquor. The petitioner is in custody since 28.06.2025.

5 Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent of the similar nature other than the present one.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the joint house property of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Act, Madhubani in connection with Sadar Excise P.S. Case No. 22 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

