

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64206 of 2025

Arising Out of PS. Case No.-309 Year-2025 Thana- GARDANIBAG District- Patna

Sanjay Ram @ Sanjay Dom @ Sanjay Mallick, Son of Bhanu Ram @ Souki Malik, Resident of Village - Ambedkar Basti, Under the Yarpur Bridge, Police Station - Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Special Case No. 797 of 2025, arising out of Gardanibagh P.S. Case No. 309 of 2025 registered for the alleged offence under Section 30 (a) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, police received information about the petitioner and co-accused Bikram Mallick selling illicit liquor. A raid was conducted on the house of the petitioner and recovery of total 104.5 liters of illicit liquor has been made from his house. The petitioner is stated to have fled away from the spot when the raid was conducted.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner has no concern with the seized liquor. There is non-compliance of Section 103 of BNSS. The petitioner is in custody since 04.07.2025 and is having antecedent of two cases.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the period of custody of the petitioner, the petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-1, Patna/court concerned, in connection with Special Case No. 797 of 2025, arising out of Gardanibagh P.S. Case No. 309 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be the close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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