

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63188 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- Excise P.S. District- Madhubani

Santosh Saday, aged about 36 years (male) Son of Gunai Saday, Resident of
Village- Lagadih, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

Mr. Udeshya Kr. Yadav, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Gagandeo Yadav, learned counsel
appearing on behalf of the petitioner and Mr. Damodar Prasad
Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise Thana Sadar P.S. Case No. 95 of 2025 registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 12 litres of country-
made liquor from near the boundary wall of the house of the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated



in the present case. Petitioner has no concern with the seized liquor nor he is involved in trade of liquor in any manner. The recovery was made from near the boundary wall of the house of the petitioner, which is an open place and easily accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the fact that the recovery of 12 litres of country made liquor from near the boundary wall of the house of the petitioner, which is an open place and easily accessible to any one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Excise Thana Sadar P.S. Case No. 95 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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