

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76125 of 2025**

Arising Out of PS. Case No.-407 Year-2017 Thana- GOPALGANJ TOWN District-  
Gopalganj

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Shreenath Sah S/o Nagina Gond @ Late Nagina Sah R/o - Bangara  
Nawakatola, P.S - Vijaipur, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deepankar Raj, Advocate  
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      25-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gopalganj P.S. Case No. 407 of 2017 registered for the alleged offences under Sections 147, 148, 149, 353, 307, 308, 420 of the Indian Penal Code, Section 27 of the Arms Act and Section 30(a), 41(1) of Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about unloading of foreign liquor from a truck at some identified place. When the police party reached there, they were fired upon by the miscreants. The police retaliated and three co-accused persons were apprehended from the spot. The



name of the petitioner transpired during investigation for being involved in the occurrence. From the spot, recovery of 2737.360 liters of foreign liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case on the basis of confessional statement of co-accused Rajan Kumar, who has been granted bail by a Co-ordinate Bench, vide order dated 18.12.2027 passed in Criminal Misc. No. 58007 of 2017. Nothing incriminating has been recovered from the person or possession of the petitioner who was not present at the place of occurrence and he has been made accused merely on suspicion. Other similarly placed co-accused persons, namely Raja Kumar Ram and Bullet Yadav have been granted bail by the different Co-ordinate Benches. The petitioner is have clean antecedent. The petitioner is in custody since 22.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and



also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named 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 Additional Sessions Judge-XIII-cum-Special Judge, Excise-I, Gopalganj in connection with Gopalganj P.S. Case No. 407 of 2017, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a 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)**

Ashish/-

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