

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84593 of 2025

Arising Out of PS. Case No.-297 Year-2025 Thana- MURLIGANJ District- Madhepura

Dilkhush Sah @ Dilkhush Kumar S/O Late Dukha Sah R/O Vill.-
Santnagar, ward no. 18, P.S-Saharsa, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Murliganj Police Station Case No. 297 of 2025, disclosing offences under Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 20.06.2025, around 12:00 p:m, police received secret information that a person was transporting illegal foreign liquor by CNG Auto/Tempu and going towards Madhepura from Jankinagar through Kashipur Bypass. Upon such information police party proceeded towards the place of occurrence and reached at Kashipur Bypass and started vehicle checking. Upon seeing the police the party, driver of CNG Auto/Tempu,



apprehended after attempting to flee by the police. On search total 81.480 litres of foreign liquor has been recovered from the CNG Auto/Tempu. The apprehended co-accused Santosh Kumar Sah disclosed that the auto belonged to his father and that he along with Mritunjay Sah and the petitioner, namely, Dilkhush Sah were involved in the illegal liquor trade.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. The name of the petitioner has come on the discloser made by arrested co-accused Santosh Kumar Sah. Recovery has been made from the CNG Auto/Tempu which does not belong to the petitioner. Nothing has been recovered from the conscious possession and/or vehicle belonging to the petitioner.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that nothing has been recovered from the conscious possession and/or vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned District & Additional Sessions Judge V cum Special Judge Excise Court No.-1, Madhepura, in connection with Murliganj Police Station Case No. 297 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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