

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1393 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- Excise P.S. District- Darbhanga

Vijay Sah, S/o- Late Laxman Sah, resident of Village-Paali, P.S.-
Ghanshyampur, Dist-Darbhangha at present R/o Rahamganj ,Ward No-34, P.S.-
Laheriasarai, Dist- Darbhanga Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s :	Mr. Padmanabh Kashyap, Advocate
	Mr. Deepak Kumar, Advocate
	Md. Ghulam Mustafa, Advocate
	Mr. Akash Hari, Advocate
For the Opposite Party/s :	Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Darbhanga Sadar Excise P.S. Case No.646 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 17.940 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that alleged recovery of illicit liquor appears to be made from the house of petitioner, which is said to be occupied by different other family members and, therefore, it cannot be said safely that



recovery of alleged illicit liquor was made from conscious physical of this petitioner. It is submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid facts and circumstances and by taking note of fact as the recovery of alleged illicit liquor *prima facie* appears doubtful form conscious physical possession of this petitioner accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, 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 Special Judge-1st (Excise Act), Darbhanga in connection with Darbhanga Sadar Excise P.S. Case No.646 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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