

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3190 of 2026

Arising Out of PS. Case No.-162 Year-2025 Thana- Bikramganj Excise District- Rohtas

Jhunnilal Sah S/o Late Bholal Sah Resident of village - Thakurai Parsiya,
Police Station - Nasriganj, District - Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bikramganj Excise P.S. Case No. 162 of 2025 instituted for the offences punishable under Sections 30(a), 62 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 30 litres of liquor was recovered from under constructed house of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the apprehended co-accused. The



recovery has been made from the open place which is accessible to one and all. The petitioner has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case as also the petitioner having three criminal antecedents of similar nature, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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