

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9860 of 2026

Arising Out of PS. Case No.-30 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Pintu Kumar Son of Jagdish Sah R/o Bhatauni, Ward no. 07, P.S. - Simri
Bakhtiyarpur and Dist. - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Simri Bakhtiyarpur P.S.
Case No. 30 of 2025 registered for the offences punishable under
Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be
engage in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 355.5 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the
petitioner submitted that recovery of illicit liquor is made from the
bamboo cluster behind the house i.e., an open place easily
accessible by general public, where nothing recovered from the
conscious physical possession of the petitioner. It is also submitted
that seizure list appears doubtful being not supported by



independent witnesses rather by police personnels. While concluding the argument it is submitted that petitioner found involved in one more case, where he is on bail.

5. Learned APP, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise)-II, Saharsa/concerned trial court where the case is pending in connection with Simri Bakhtiyarpur P.S. Case No. 30 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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