

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2026

Arising Out of PS. Case No.-347 Year-2025 Thana- CHAUTHAM District- Khagaria

Madho Sah @ Modi Sah, S/o Late Ramotar Sah @ Ramavtar Sah, R/o Village-Bakhtiarapur (Bhakhtiyarpur) Chukti, Ward No.18, P.S.- Mansi, Dist-Khagaria (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The accused-petitioner is named in the F.I.R., and apprehending his arrest in connection with Chautham P.S. Case No.347 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended).

3. The allegation against the petitioner is to have in possession of 212.175 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged illicit liquor was recovered from Tabera vehicle and not from possession of this



petitioner. It is submitted that the petitioner is neither owner nor driver of the alleged seized vehicle. It is submitted that name of petitioner transpired in this case on the basis of identification by local people. It is submitted that seizure list was not supported by independent witnesses rather same was supported by police personnel. The petitioner claimed clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Khagaria (Bihar)/concerned court in connection with Chautham P.S. Case No.347 of 2025, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

