

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10826 of 2026

Arising Out of PS. Case No.-395 Year-2025 Thana- BANIAPUR District- Saran

=====

Dhananjay Kumar Sah @ Dhananjay Sah @ Dhurchuliya @ Gurchuliya S/o
Lalan Sah R/o Village- Lawakala, P.S- Baniyapur, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
30(a) of Bihar Prohibition and Excise Act in connection with
Baniyapur P.S. Case No.395 of 2025.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 08 liters of liquor from an open place. It is next
submitted that petitioner was not arrested from the spot as such



nothing was recovered from his conscious possession. Further submits that recovery has been made from an open space and there are no independent witnesses to assign the search and seizure memo.

4. The learned APP for the State opposes the anticipatory bail application.

5. Considering the fact that no recovery has been made from the conscious physical possession of the petitioner and also taking into account that it has been recovered from an open space i.e from village Pakwa Inar Mathia and also given the fact that the petitioner has no criminal antecedent and further there are no independent witnesses who have signed the search and seizure memo, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge cum Exclusive Special Court Excise, Act-I, Saran at Chapra in connection with Baniyapur P.S. Case No.395 of 2025, subject to



the conditions laid down under Section 438(2) of the
Cr.P.C./Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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

