

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11201 of 2026

Arising Out of PS. Case No.-899 Year-2023 Thana- Excise P.S. District- Kishanganj

Bablu Sah, Son of Domi Sah, Resident of Village/ Mohalla- Singharapatti
Ward No. 17, P.S.- Dhamdaha, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha. APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Special Case No. 937 of 2023 arising out of Madya Nisedh (Excise) P.S. Case No. 899 of 2023 registered for the offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The prosecution case is to the effect that total 144 liters of foreign liquor was recovered from a car.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case only because he happens to be the owner of the car. It has further been submitted that he had already sold the said vehicle on 10.09.2021, however, the sale was not completed and in the



meantime the subsequent owner was apprehended with the seized liquor. It has next been submitted that the petitioner had no concern whatsoever with the alleged recovery and admittedly no incriminating article has been recovered from the possession of the petitioner or from his house. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Special Case No. 937 of 2023 arising out of Madya Nisedh (Excise) P.S. Case No. 899 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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