

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21453 of 2026

Arising Out of PS. Case No.-523 Year-2025 Thana- KHAJEKALA District- Patna

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Santosh Kumar @ Sanichara @ Sanichar Kumar @ Sanichar, S/o
Sachidanand Rai @ Sachichidanand Ray, R/o Mohalla- Mitani Ghat Chauraha,
PS- Khajekala, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that near a temple, altogether 84 liters of illicit country made liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. The recovery has been made from an open place. It has further been submitted that the witnesses of the



seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioner is languishing in judicial custody since 27.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted the petitioner is having criminal antecedent of three cases of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khajekalan P.S. Case No. 523 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City **with the condition that petitioner shall not indulge himself in similar nature of the offences in future.**

(Ashok Kumar Pandey, J)

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