

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19040 of 2026

Arising Out of PS. Case No.-577 Year-2025 Thana- MIRGANJ District- Gopalganj

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Dhananjay Kumar Gautam Son of Harihar Prasad R/O Village- Bangarbari,
P.S.- Khampur, District- Deoria (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-03-2026

Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Mirganj P.S. Case No. 577 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 engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 54 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that implication of petitioner with the present crime in question appears only for the reason as he is the owner of the motorcycle from where illicit liquor was recovered. It is submitted that motorcycle was parked. It is pointed out that admittedly recovery was not made from the conscious physical



possession of this petitioner. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnels.

5. Learned APP, opposes the prayer for bail.

6. In view of aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor prima-facie 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 Additional Sessions Judge-IV-cum-Special Judge, Excise Court No. II, Gopalganj/concerned trial court where the case is pending in connection with Mirganj P.S. Case No. 577 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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