

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23067 of 2026

Arising Out of PS. Case No.-282 Year-2026 Thana- Excise P.S. District- Bhagalpur

Subodh Sah Son of Late Rajdeo Prasad Gupta R/o- Dharamgatpur Budha
Ward No. 10, P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-04-2026 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 sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a truck, altogether 2894.400 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel has submitted that the petitioner is merely a driver of the said truck and he was unaware of the alleged consignment of liquor. The witnesses of the seizure list are police personnel and police



has not complied Section 105 of BNSS while preparing seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 Excise Sadar P.S. Case No. 282 of 2026 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 Judge Excise-I, Bhagalpur.

(Ashok Kumar Pandey, J)

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