

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22821 of 2026

Arising Out of PS. Case No.-316 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Pappu Sah S/o Late Jagdish Sah @ Jagdish Sah Resident of ward no. 12,
Bakhari Bururg, Bakhri Buzurg, P.s.- Rupauli, P.S.- Musrigharari, District-
Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2026 Heard Mr. Keshav Bhardwaj, learned counsel for the

petitioner and Mr. Akbar Ali, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.03.2026 in connection with Samastipur Sadar Excise P.S.
Case No. 316 of 2019, F.I.R. dated 22.07.2019 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2022.

3. Recovery is of 1055.115 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery has been made from the backside of the house of the petitioner and the petitioner was apprehended from the place of occurrence and his name has been transpired on the basis of the disclosure made by the local people. It appears from the seizure list that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 13.03.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedents of similar nature other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Samastipur in connection with Samastipur Sadar Excise P.S. Case No. 316 of 2019 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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