

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24781 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- UJIYARPUR District- Samastipur

Gopal Kumar @ Gopal Sahani @ Gopal Kumar Sahni S/O Suresh Sahani
R/O Village- Chandauli, P.S.- Ujijarpur, Dist.- Samastipur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ujijarpur P.S. Case No.65 of 2026 registered for the offence punishable under Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that from a shop of Junk dealer altogether 1263.09 liter of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that from that place one bike, truck and cycle were also recovered. Learned counsel for the petitioner has submitted that the truck, cycle and bike does not belong to him. It has further been submitted that he has no concern in any way with the junk shop. The name of this petitioner has surfaced in this case on information furnished by spy. Learned counsel for the petitioner



has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel has further submitted that the witnesses of the seizure list are police personnel and police has not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 25.02.2026.

5. The application for bail is opposed by learned APP for the State. Learned APP has further submitted that the petitioner is having criminal antecedent of two 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 *with the condition that the petitioner shall not indulge in similar nature of offence in future*. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Judge-I, Samastipur in connection with Ujiyarpur P.S. Case No.65 of 2026.

(Ashok Kumar Pandey, J)

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