

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27597 of 2026

Arising Out of PS. Case No.-439 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Raju Sah @ Raju Kumar @ Raju Kumar Sah S/O Indrajeet Sah @ Indrajit
Sah R/O Vill.- Bijbani, Baraiya Tola, P.S.- Jitna, Dist.- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 24-06-2026 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 is that from a bike, altogether 142.2 liters of Nepali country made 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. He is not concerned in any way with the alleged bike. Learned counsel has submitted that as he was present there, he was apprehended by police. The witnesses of the seizure list are police personnel and



police has not complied Section 105 of BNSS while preparing seizure list. It has further been submitted that as far as his criminal antecedents are concerned, he is having eleven criminal antecedents. His name has surfaced in this case on the statement of local chowkidar. He has been framed in this case only on the basis of his criminal antecedent. Moreover, he is languishing in judicial custody since 10.03.2026.

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 Ghorasahan P.S. Case No. 439 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 Excise Court No.-3, Motihari, East Champaran **with a condition that the petitioner shall not indulge in similar nature of offence in future.**

(Ashok Kumar Pandey, J)

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