

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28252 of 2026

Arising Out of PS. Case No.-60 Year-2026 Thana- MADHWAPUR District- Madhubani

Umesh Sah S/O Late Shivjee Sah Resident of Village- Pahipura, P.S-
Saharghat, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 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 274, 275 and 3(5) of BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from an open field, altogether 1305 liters of 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 has been falsely implicated in this case. He has no concern with the



alleged recovery of liquor. There is no independent witness of the seizure list rather they are police personnel. Police has not followed Section 105 of BNSS while preparing the seizure list. Moreover, he is languishing in judicial custody since 31.03.2026.

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 Madhwapur P.S. Case No. 60 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 Act, Madhubani.

(Ashok Kumar Pandey, J)

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