

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28974 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- DALMIYA NAGAR SAHAYAK District-
Rohtas

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Pintu @ Pintu Baitha @ Pantu S/O Late parshuram Baitha Resident of
Village- Ganguli, P.S- Dalmia Nagar, Dist.- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App), APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-05-2026 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 section 30(a) of the
Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from an open
field, altogether 60 liters of country made liquor was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From
perusal of the FIR, it is clear that the recovery has not been
made from the possession of this petitioner rather the recovery
has been made from an open field. Learned counsel has
submitted that as he was standing 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. Moreover, he is languishing in judicial custody since 23.03.2026.

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 Dalmia Nagar P.S. Case No. 51 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 Court-I, Rohtas at Sasaram.

(Ashok Kumar Pandey, J)

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