

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31686 of 2026**

Arising Out of PS. Case No.-66 Year-2026 Thana- TARAIIYA District- Saran

Vinay Kumar @ Lala @ Lal Sah S/o Late Yogendra Sah @ Late Yogendra Prasad Sah Resident of Village- Kishunpur, P.S.- Bheldi, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate.  
For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      14-05-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail registered for the offence punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from the fields, altogether 1568 liters of spirit was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR it is clear that the recovery was made from an open place. He further submits



that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that during the course of investigation, it has come that the spirit belongs to the petitioner which is completely based on suspicion. Moreover, the petitioner is languishing in judicial custody since 28.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has got criminal antecedents of 13 cases.

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 conditions that the petitioner shall cooperate in trial, shall remain physically present on each and every date fixed by the learned court below, one of the bailors shall be his near relative and shall also mark his weekly attendance at Maker P.S.** 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 learned 3<sup>rd</sup> Exclusive Special Excise Court,



Saran at Chapra in connection with Taraiya P.S. Case No. 66 of  
2026.

**(Ashok Kumar Pandey, J)**

Sudhanshu/-

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