

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33762 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- MAHUA District- Vaishali

Amarjeet Sah Son of Rajkishore Sah Resident of Village- Govindpur Singhara
Bujurg, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection with Mahua P.S. Case No. 128 of 2026 dated 21.02.2026 registered for the offence punishable under Section/s 274, 275 of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the Police have recovered total 187.350 liters of illicit English liquor from the closed godown of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. Learned counsel for the petitioner submits that the recovery of the seized article has been made from the godown



which does not belong to the petitioner, while the seizure has been made in violation of Section 103 of the B.N.S.S. It is next submitted that the petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of disclosure made by the local *Chowkidar*. It is lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the recovery is said to have been made from the godown which does not belong to the petitioner and, as also, the petitioner having no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2 -cum- District and Additional Sessions Judge, Hajipur, Vaishali in connection with Mahua P.S. Case No. 128 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:



(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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