

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33772 of 2026

Arising Out of PS. Case No.-95 Year-2026 Thana- KOPA District- Saran

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Raja Kumar Sah S/o Raj Kumar Sah @ Rajkumar Sah R/o Village - Inayatpur
(Enaetpur), P.S.- Daudpur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Perusal of the first information report and the seizure
list would go to show that 50 liters of country made liquor is
said to have been recovered from a motorcycle.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner. The petitioner is neither the owner
of the motorcycle nor has any concern with the seized liquor.
There is violation of the mandatory provisions of the search and
seizure as there is no independent witness to the seizure list.



Petitioner has been languishing in custody since 15.04.2026.

5. Learned APP for the State opposes the bail petition on the ground that petitioner has several criminal antecedents. In response, it is submitted on behalf of the petitioner that he is on bail in all the cases.

6. Taking into consideration the fact and circumstances of the case and also considering the fact that there is non-compliance of mandatory provisions of search and seizure, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kopa P.S. Case No. 95 of 2026, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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