

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34044 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- MUSAHARI District- Muzaffarpur

Sanjay Kumar @ Palta son of Baidhnath Sah Resident of Village- Nayagaon,
P.S.- Musahari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Musahari P.S. Case No. 27 of 2026 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition &
Excise Act.

3. As per the prosecution story which has been lodged
on the basis of the written report submitted by the informant to
the effect that on 17.01.2026, while he along with some
constables was on patrolling duty and when they reached at
Narauli Chowk, he received a secret information that Golu
Kumar, Bihari Shah and Sanjay Kumar @ Palta (petitioner)
have concealed liquor near *Bathan* of Golu Kumar and they are
in the process of disposing of the same. After giving information



to the Senior police officials, the informant along with police party conducted a raid at the place of occurrence. Upon seeing the police party, three persons started fleeing and even on chase they succeeded in fleeing away. The local Chowkidar identified the fleeing person as Golu Kumar, Bihari Shah and Sanjay Kumar @ Palta i.e. the petitioner herein. From the *Bathan* of Golu Kumar, total 54 litres of foreign liquor was recovered and seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The name of the petitioner has transpired in the present case only on the statement given by the local Chowkidar and since he has an antecedent of similar nature, he has been named as an accused in the present case. Total 54 litres of foreign liquor has been recovered from the *Bathan* of Golu Kumar and petitioner has got no concern with the seized liquor or the *Bathan*, from where the liquor was seized.

5. The learned counsel for the petitioner further submits that the petitioner has got ten criminal antecedents of similar nature and he is on bail in all the cases.

6. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is an



accused in ten cases of similar nature and he does not deserve bail, since on his release, he will again indulge in the same activity.

7. Having heard the learned counsel for the parties and after going the records, it appears that the petitioner was not present at the place of occurrence. His name has been taken by the local *Chowkidar*, who has said that the fleeing persons were the petitioner and two other co-accused. It has been further submitted by the learned counsel for the petitioner that co-accused Bihari Sah has been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this Court vide Criminal Miscellaneous No. 33314 of 2026 vide order dated 13.05.2026. Considering the above, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. III, Muzaffarpur in connection with Musahari P.S. Case No. 27 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(i) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it



is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(ii) One of the bailers should be a family member of the petitioner.

(Ritesh Kumar, J)

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