

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34881 of 2026

Arising Out of PS. Case No.-648 Year-2026 Thana- Excise P.S. District- Muzaffarpur

Dilip Sah S/o Mahendra Sah Resident of Village - Walipur, P.S.- Mahindwara,
District - Sitamarhi

... .. Petitioner/s

Versus

The state of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 The matter has been taken up today through video conferencing.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 648 of 2026, registered for the offence punishable under Sections 30(a), 32(3) and 36 of the Bihar Prohibition and Excise Act.

4. As per the allegation, co-accused Binod Sahni and Ranjan Kumar were taken into custody, who were seated on a motorcycle and altogether 20 liters of spirit was recovered from the seized motorcycle. The aforesaid apprehended persons disclosed that the petitioner handed over the spirit to them and it has further been alleged that the petitioner is involved in the



business of sale of illicit liquor from a rented premises.

5. Learned counsel for the petitioner has submitted that the name of petitioner transpired in this case on the basis of the confessional statement of the co-accused before the police while in police custody. It has further been submitted that the premises of the petitioner was raided and nothing incriminating was found. It has further been submitted that procedure of search and seizure as prescribed under Sections 103 and 105 BNSS have not been followed. It has lastly been submitted that since the petitioner has been made accused in three cases of similar nature, the police has implicated the petitioner in the cases one after another on the basis of materials which has got no evidentiary value.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

7. Heard the parties and perused the record.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 Exclusive Special



Judge, Excise-II, Muzaffarpur, in connection with Excise P.S.
Case No. 648 of 2026, subject to the conditions as laid down
under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita
(B.N.S.S.)

9. This application stands allowed.

(Praveen Kumar, J)

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