

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40143 of 2026

Arising Out of PS. Case No.-189 Year-2026 Thana- BATHNAHA District- Sitamarhi

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Joginder Sah @ Satar Sah S/o Late Ram Autar Sah R/o Village -
Bathnaha(East Tola), Ward No. 05, P.S. - Bathnaha, Distt. - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ritesh Kumar Narain Singh, Advocate
For the Opposite Party : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Bathnaha P.S.
Case No.189 of 2026 registered under Sections 30(a) of the
Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 6.6 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the name of petitioner transpired on the
basis of disclosure made by local watchman. The recovery of



alleged liquor was made from jute sack kept in bushes near bathnaha tempo stand. It is submitted that the petitioner name came only on the assumption of police personnel that the person who fled away was the petitioner. It is submitted that the recovery of illicit liquor was not made from conscious physical possession of the petitioner. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 Special Judge Exclusive Excise Court No. 1, Sitamarhi, in connection with Bathnaha P.S. Case No.189 of 2026, subject to the



conditions as laid down under Section 438(2) of the
CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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