

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40171 of 2026

Arising Out of PS. Case No.-399 Year-2026 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Sanjay Singh Son of Om prakash singh Resident of Village -Bhithbherwa Ward no 9, PS- Gopalganj, District -Gopalganj
 2. Rohit Kumar Singh Son of Sanjay Singh Resident of Village -Bhithbherwa Ward no 9, PS- Gopalganj, District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short is that from the house of the petitioners, altogether 299.400 liters of illicit country made liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely implicated in this case. Learned counsel for the petitioners has submitted that nothing has been recovered from



the possession of these petitioners. Recovery, if any, has been made from the joint house. It has further been submitted that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioner no. 1 is having one criminal antecedent whereas petitioner no. 2 is having no criminal antecedent. They are languishing in judicial custody since 20.04.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Gopalganj Town P.S. Case No. 399 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XIII-cum-Exclusive Special Judge, Excise Court-I, Gopalganj.

(Ashok Kumar Pandey, J)

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