

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42572 of 2026

Arising Out of PS. Case No.-309 Year-2026 Thana- Excise P.S. District- Purnia

Santosh Sharma, Male, aged about 42 years, Son of Late Mahanati Lal Sharma, Resident of Village- Bharti Nagar, Ward no 26/35, PS- Sadar, District- Saharsha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Excise Sadar P.S. Case No. 309 of 2026 instituted for the offences punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the FIR, on search, total 76.230 liters of foreign liquor has been recovered from the white colour Maruti Suzuki Swift Desire Car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. She submits that petitioner has no concern with the seized illicit liquor. She further submits that there is no any independent witnesses of the seizure list and



none of the independent witnesses have signed in the seizure list. Petitioner has got clean antecedent as stated in para 3 of the bail petition and he is in judicial custody since 19.05.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and the impugned order of the learned Exclusive Special Judge (Excise-01), Purnia dated 29.05.2026, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant namely, Surendra Paswan, Assistant Sub-Inspector of Police, Purnia, FIR has been registered under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016 against the present petitioner and the allegation is of recovery of foreign liquor from the possession of the petitioner. From perusal of seizure list, it also appears that there is no any independent witness of the seizure, petitioner is under custody since 19.05.2026 having got clean antecedent as stated in para 3 of the petition, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be



released on regular bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of the learned Exclusive Special Judge, Excise-I,
Purnia in connection with Excise Sadar P.S. Case No. 309 of
2026.

(Ramesh Chand Malviya, J)

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