

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44915 of 2026**

Arising Out of PS. Case No.-1061 Year-2025 Thana- Excise P.S. District- Jamui

Santosh Gupta @ Santosh Saw, S/o Jay Prakash Saw @ Jai Prakash Sah, R/o  
Village-Chanrwar, P.S.- Garahi, Distt.- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Mukund Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      08-07-2026                      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 JAM P.S. Case No.1061 of 2025 registered under Sections 30(a) and 32(3) 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 27.750 liters of IMFL/country-made liquor.

4. Learned counsel appearing for petitioner submitted that the recovery of alleged liquor was not from conscious physical possession of this petitioner, rather same was recovered from Tempo bearing Registration No.09PA-



8862, which belongs to co-accused Vinod Singh. The name of petitioner transpired on the basis of disclosure made by apprehended co-accused Vinod Singh. It is further submitted that the seizure list was not supported by the independent witnesses rather by police personnel. While concluding argument, it is submitted that the petitioner found involved in seven more criminal cases of similar nature, where he is on bail.

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

6. In view of aforesaid factual submissions and by taking of note of fact, as recovery of illicit liquor *prima facie* not appears to be made from 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 Excise Judge, Exclusive Excise Court-II, Jamui in connection with JAM P.S. Case



No.1061 of 2025, 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.)**

Sanjeet/-

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