

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44103 of 2026

Arising Out of PS. Case No.-800 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Sanjay Sah @ Sanjay Kumar Sah Son of Shivnath Sah @ Dhural Sah
Resident of Village- Mathiya, P.S.- Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gopalganj Town P.S. Case No. 800 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, information was received about two persons transporting liquor on a red colour scooty. The said scooty was intercepted and two persons started running away on seeing the police party, one person was apprehended. The apprehended person disclosed the name of the petitioner, who fled away from the spot. On search of the scooty, 25.180



litres of India made foreign liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and he was not apprehended from the spot. The petitioner has no concern with the seized liquor or the scooty from which recovery has been made. The petitioner is having antecedent of four cases and he is on bail in all the cases. The petitioner is in custody since 18.04.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is a habitual offender and two of the cases are of similar nature.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned District & Additional Sessions Judge-XIII -cum- Special Judge, Excise -I, Gopalganj/concerned Court in connection with Gopalganj Town P.S. Case No. 800 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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