

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46772 of 2026

Arising Out of PS. Case No.-176 Year-2026 Thana- HARSIDHI District- East Champaran

Suresh Sah, Aged about 48 years, Gender- Male, Son of- Khankhan Sah @
Lakhan Sah @ Khakhan Sah, Resident of village - Bishunpur Tali
(Bishunpura), PS - Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2026 Heard Mr. Ajay Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Harsidhi P.S. Case No. 176 of 2026 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 10 litres of country
made illicit liquor from the *Bathan* of the petitioner situated
near a canal.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the present case. Petitioner has no concern with the alleged



seized liquor nor he is involved in trade or consumption of illicit liquor in any manner. The name of the petitioner has been disclosed by local *Chaukidaar*. The recovery was made from the *Bathan* of the petitioner situated near a canal, which is an open place and easily accessible to anyone. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR from which it appears that the recovery of 10 litres of country-made illicit liquor was made from the *Bathan* of the petitioner situated near a canal, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 District Court where the case is pending, in connection with Harsidhi P.S. Case No. 176 of 2026, subject to the condition as laid down under Section



482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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