

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51264 of 2026

Arising Out of PS. Case No.-284 Year-2026 Thana- MUNGER MUFFASIL District- Munger

Dhanraj Sah Son of Dinesh Sah Resident of Village- Chhathu Dhanma
Kakkan, P.S.- Jamui, District- Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Muffasil P.S. Case No. 284 of 2026, lodged on 23.06.2026, under Sections 30(a)/32 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. Total recovery of 796.680 litres of Indian Made Foreign Liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that the recovery of alleged foreign liquor has not been made from the conscious possession of the petitioner. He submits that except the confessional statement of co-accused Md. Sonu, nothing is against the petitioner. Counsel submits that petitioner has no criminal antecedent of excise matter. He submits that petitioner is neither the owner nor the driver or cleaner of the said vehicle.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that antecedent of the petitioner is clean in identical matter.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Exclusive Special Judge, Excise Act-II, Munger, in connection with Muffasil P.S. Case No. 284 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

Mkr./Anshuman/

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