IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76816 of 2026

CNR No. BRHC011029222026

Arising Out of PS. Case No.-199 Year-2026 Thana- MIRGANJ District- Gopalganj

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Rohit Kumar @ Rohit Kumar Sah S/o Lal Bahadur Sah Resident of Village- Baraipatti, P.S.- Nawtan, District- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun Bharti, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Mirganj P.S. Case No. 199 of 2026, lodged on 25.03.2026, under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. A total recovery of 323 liters of illicit liquor has been made from a car, and a motorcycle was also recovered near the car.

4. Learned counsel for the petitioner submits that in the present case, the name of the petitioner has figured by virtue of the disclosure made by the chowkidar. Counsel further submits that nothing has been recovered from his possession,

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and he has been in custody since 26.07.2026. The antecedent of the petitioner is not clean; there are four criminal antecedents against him, out of which three are under the Excise Act.

5. Learned counsel for the State, on the other hand, submits that considering his antecedents, it transpires that the petitioner is involved in the business of selling wine.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **subject to deposit of Rs.1,00,000/- (One Lakh Only) before the concerned Excise Court**, on furnishing bail bonds 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 Excise Court-II, Gopalganj, in connection with Mirganj P.S. Case No. 199 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide;*

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive

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dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself; and

iii. The Trial Court, before accepting the bail bonds, shall ascertain that he is not absconding in the cases pending against him namely:

a. Nawtan P.S. Case No. 261 of 2024

b. Mirganj P.S. Case No. 83 of 2024

c. Mirganj P.S. Case No. 380 of 2025

d. Mirganj P.S. Case No. 77 of 2024

(Dr. Anshuman, J)

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