IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74065 of 2026

CNR No. BRHC011083132026

Arising Out of PS. Case No.-239 Year-2026 Thana- PURNEA SADAR District- Purnia

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Vishwajeet @ Vishwajeet Sah @ Indrajit Sah S/o Jagdish Sah R/o Vill- Hansda New Tola, ward no 35, Thana- Sadar, District- Purnea

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Avnish Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a vehicle, altogether 217.500 liters of illicit foreign liquor was recovered. The driver of the said vehicle was apprehended and he has disclosed that the owner of the said vehicle is one Raju Sharma and said Raju Sharma has disclosed that the alleged liquor belongs to this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel

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has submitted that on the basis of statement made by co-accused, this petitioner has been framed in this case. He is neither the owner nor the driver of the said vehicle. He has no concern either with the vehicle or with the said liquor. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 31.07.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sadar P.S. Case No. 239 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise 01)- Purnea.

(Ashok Kumar Pandey, J)

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