IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77734 of 2026

CNR No. BRHC011117082026

Arising Out of PS. Case No.-460 Year-2026 Thana- DHAKA District- East Champaran

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Prushotam Kumar @ Purushotam Sah S/O Shyam Sunder Sah Resident Of Village- Badaki Fulwariya, Ps- Dhaka, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sugandh Saurabh, Advocate
For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dhaka P.S. Case No. 460 of 2026 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from police received information that the petitioner was carrying illicit Nepali country made liquor on cycle, on this information, police reached the place of occurrence and seeing the police, the petitioner managed to escape from there leaving his cycle. It is alleged that altogether 222.6 liters of illicit Nepali country

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made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has further submitted that nothing has been recovered from his possession. Petitioner has no concern with the alleged liquor. Learned counsel has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of BNSS while preparing the seizure list. He was not apprehended on spot.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Dhaka P.S. Case No. 460 of 2026, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-3, East Champaran, Motihari subject to the conditions as laid down

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under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

Shubham/-

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