IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76856 of 2026

CNR No. BRHC011125522026

Arising Out of PS. Case No.-352 Year-2026 Thana- MIRGANJ District- Gopalganj

==========

Gurudayal Sah Son of Mohan Sah Resident of Village - Bankikhal, P.S. - Uchkagaon, District - Gopalganj.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Rana Randhir Singh

==========

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mirganj P.S. Case No.352 of 2026, F.I.R dated 30.06.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 29.06.2026, during night patrolling, the police team received secret information regarding the supply of illicit liquor. Upon reaching the spot, the accused persons attempted to flee, but one of them, namely Ashok Singh, was apprehended. Upon search, a total of 279 litres of country-made liquor was recovered, and a seizure list was accordingly prepared in the presence of two police constables.

WEB COPY

4. Learned counsel for the petitioner submits that the recovery is from a motorcycle, which does not belong to the petitioner. It has next been submitted that the name of the petitioner has transpired on the basis of disclosure made by the apprehended persons and the petitioner is ready to cooperate with the investigation / trial. It has lastly been submitted that the petitioner has one criminal antecedent but is on bail in the said case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the motorcycle from where the seized liquor was recovered does not belong to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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

WEB COPY

learned District and Additional Sessions Judge-IV-cum-Exclusive Court No.II, Gopalganj, in connection with Mirganj P.S. Case No.352 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

sharun/-

U		T	

WEB COPY