IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80015 of 2026

CNR No. BRHC011167552026

Arising Out of PS. Case No.-159 Year-2025 Thana- VIJAYEPUR District- Gopalganj

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Jitendra Nat Son of Ashok Nat, Resident of Village- Sukhlal Chhapar, P.S.- Vijaipur, District- Gopalganj.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Karandeep Kumar, Advocate
Mr. Mrityunjay Kumar, Advocate
For the State : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Vijaipur P.S. Case No. 159 of 2025 dated 25.05.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police received information about the petitioner selling illicit liquor. A raid was conducted and on seeing the police the petitioner started running away leaving behind cotton sack. Recovery of 45 litres of country made liquor was made from search of the sack.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely

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been implicated in the present case. Nothing incriminating has been recovered from conscious possession of the petitioner. From the FIR, it is clear that recovery was made from the sack lying unattended and the allegation that petitioner was carrying the sack is not correct. There is complete violation of Section 105 of the B.N.S.S., 2023. Learned counsel next submits that petitioner is having antecedent of three cases and he is on bail in all the three cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 19.07.2026.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner and submits that petitioner carries antecedent of similar nature of three cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and also considering submission of chargesheet and period of custody of the petitioner, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-IV-

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cum-Exclusive Special Excise Court No.-II, Gopalganj / concerned Court, in connection with **Vijaipur P.S. Case No. 159 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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