IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55999 of 2026

Arising Out of PS. Case No.-339 Year-2024 Thana- Daudnagar Excise District- Aurangabad

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Sanjay Kumar @ Sanjay Kumar Sah @ Sanjay Sah S/O Late Anil Saw R/O Village- Lakhdihara, Dhira, P.S- Obra, District- Aurangabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms.Rupa Kumari, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Daudnagar Excise P.S. Case No. 339 of 2024 registered for the alleged offences under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

03. As per prosecution case, when the vehicle of the petitioner was intercepted on a secret information about smuggling of liquor, recovery of 315 litres of country made liquor was made from the vehicle of the petitioner. The driver fled away when the vehicle was being intercepted.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this

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case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. Though the petitioner is owner of the vehicle, but the said vehicle was taken by one of the co-villagers and he used the vehicle for smuggling of liquor. The petitioner is having antecedent of five cases and for this reason he has been made accused in this case. The petitioner is in custody since 23.06.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court No. II, Aurangabad/concerned Court in connection with Daudnagar Excise P.S. Case No. 339 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

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(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.

(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)

DKS/-

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