

In the Court of Exclusive Special Excise Act Court-2, Banka

Banka Excise P.S. Case No.- 314/2026

(B.P. Excise No. 652/2026)

Amarjeet Kumar Sah & others vs State of Bihar.

SI No	Date of Order	Order with Signature of P.O.	Action Taken
	<u>24.07.2026</u>	A bail petition filed on behalf of the accused persons namely 1) Amarjeet Kumar Sah & 2) Mithun Kumar, who are in custody since 12.07.2026, in connection with Banka Excise P.S. Case no.- 314/2026 under section 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018 is pressed today. The case of the prosecution in brief is that on 11.07.2026 at about 5:20 PM, informant along with other police personnel proceeded from Excise P.S. for concluding raid and in that course they went near Harikishun Bhagat Inter Mahavidyalay. After seeing them, two persons on a motorcycle bearing reg. no. BR 34H6680 tried to escape. However, police chased and nabbed them. On search altogether 5.250 litres of illicit foreign made liquor was recovered from a white color bag, which was kept in middle of both the accused persons. On enquiry, they disclosed theirs names as 1) Amarjeet Kumar Sah (driver) & 2) Mithun Kumar. Heard the learned Defence counsel as well as the learned Spl.P.P. for the State. Learned Counsels for the petitioner has submitted that the petitioners are innocent and are falsely implicated in this case due to dirty village politics and also at the instance of their enemies. There is no application of section 30(a) of Excise Act as in fact nothing has been recovered from their possession. All allegations are false and concocted. Petitioners are in custody since 12.07.2026 & they have no criminal antecedent. So, they may be released on bail. On the other hand, Learned Spl. P.P. opposed the bail petition. Heard both the parties and perused the case record and seizure list available on record. It transpires that there is allegation against the petitioners that 5.250 litres of illicit foreign made liquor was recovered from a white color bag, which was kept in middle of both the accused persons, who were riding seized motorcycle. It further transpires that there is no criminal antecedent of the accused persons in Banka Excise P.S., as per criminal antecedent report of I.O. dated 21.07.2026. Accused is in custody since 12.07.2026. After considering the facts & circumstances of the present case, recovery of low amount of foreign made liquor & detention period, present bail application of the accused persons is allowed and they are directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of like amount. Dictated (Richa Bhargava) P.O. Exclusive Special Excise Court-2, Banka The bail bond have been filed on behalf of the accused persons namely- 1) Amarjeet Kumar Sah & 2) Mithun Kumar Sah , which are after due verification. O/c is directed to issue release order at once. S.J.E.C-2	

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