

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Bail Application No. 295/2026
Mojahidpur P.S. Case No. 29/2026

Samir Anand Versus State of Bihar

Counsel for the Petitioner : - Sri Sandilya Gautam Brahampuri, Advocate.
For the State : - Sri Sridhar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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15-04-2026	1. This is an application for regular bail filed on behalf of the accused- petitioner Samir Anand, in connection with Mojahidpur P.S. Case No. 29/2026, instituted for offences u/s 30(a) Excise Act & 8(c), 21(b), 22 of Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner is in custody since 26-02-2026. 2. Heard Sri Sandilya Gautam Brahampuri, learned counsel for the petitioner and Sri Sridhar Singh, learned Special Public Prosecutor for the State. 3. The prosecution case as stated in the First Information Report is that on 24-02-2026 at 22.10 hours, the informant, Inspector -cum- S.H.O. Dharendra Yadav of Mojahidpur P.S. received secret information that illegal Wine are kept at the resident of one Bodh Ram situated at Sikandarpur for the purpose of illegal business, on which for verification and necessary action he along with other police personnel proceeded and when reached at the residence of Bodh Ram and raided the house, a person who was carrying a bag in his hand went at the roof and started fleeing. It is alleged that having seen the police force he threw the bag which he was carrying in the another house which situates by the side of his house. The person was apprehended with the help of police force and also recovered the bag which he threw away. On interrogation, the apprehended person disclosed his name as Samir Anand, who reside as renter in the house of one Rajeev Ranjan Sinha. Thereafter, the bag was searched and in course of search two bottles each containing 750 ml of liquor on which Iconiq White Elite International Grain Whisky Batch No. 071/L2 NoV. 25 Blended And Bottled by Ankor Bio Chem Pvt. Ltd./Tituliya More Vill. + P.O. - Dhubvi Lakhiyabad Bridge, P.S Nirsh, Dhanbad – 82820J, Jharkand and Imperial Blue Blended Grain Whisky Batch No. - 0021 Dt -13/11/2025, one bottle containing 375 ml of

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Royal Stag Delux Whisky Batch No. 0140 dated 24-01-2026 was written, were recovered. It is further alleged that about 100 gm brown coloured substance which was kept in a box as well as a mobile phone were also recovered. Upon being asked, the apprehended person disclosed that the recovered Brown coloured material is the Brown-sugar and Aman Thakur and Sahil Kumar are his partner who used to purchase the recovered Wine and Brown-sugar and after that the same was kept in the house of Chhotu Kumar wherefrom after packing, the same was used to supply He also disclosed that his duty is to receive money from the customers and one Munna used to deliver it to the customers. Accordingly, the recovered Wine, Brown-sugar and Mobile Phone were seized as per seizure list. The apprehended accused person was formally being arrested and he was remanded to judicial custody and on the basis of self-statement of informant, the present case has been instituted.

4. The learned counsel for the petitioner submit that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Entire allegation against the petitioner is false and concocted. In fact, nothing incriminating has been recovered from possession of petitioner. The petitioner never confessed his guilt before police rather the police forcibly obtained the signature of petitioner on a blank paper. Moreover, the confessional statement of accused before police has got no evidentiary value in the eye of law. Further, there is violation of section 50 of N.D.P.S. Act which demolish the entire prosecution case. The petitioner bears clean antecedent and he is in custody since 26-02-2026.
5. On the other hand, learned Public Prosecutor vehemently opposed the prayer for grant of bail to the petitioner on the ground that the petitioner is named in the F.I.R. and there is specific allegation against him that when on the basis of secret information, the informant arrested the petitioner and in course of search three bottles Wine and 100 gm of Brown-sugar were recovered from a bag which he was carrying. Further, he disclosed the he along with other co-accused persons are engaged in illegal business of Wine and Brown-sugar. He further submits that the quantity of recovery of Brown-sugar comes in the category of intermediate quantity. He further submits that the materials so far collected during investigation suggests the involvement of petitioner in the alleged

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occurrence. The investigation of the case is still going on.

6. Perused the case record as well as case diary. It appears that in course of investigation the I.O. has mentioned the contents of confessional statement of petitioner Samir Anand at para 3 of the case diary and from perusal whereof it transpires that the petitioner Samir Anand reiterated the same version which he disclosed before police at the time of arrest and recovery of contraband materials and also disclosed the names of co-accused persons as his partner. At para 4 of the case diary the restatement of informant has been recorded whereas at para 5, 6, 7, 8, 9, 10 and 17 of the case diary statements of other witnesses have been mentioned in which the witnesses have supported the prosecution case and the fact of recovery of contraband substance from a bag which was carried by petitioner Samir Anand. Investigation of the case is still going on.
7. After having gone through the documents & the materials available on record, this court finds that the accused-petitioner is named in the FIR. Further, it appears that on secret information the police arrested the petitioner Samir Anand from whose possession three bottles of Wine and 100 gm of Brown-sugar were recovered and he also disclosed that he along with other co-accused persons are engaged in illegal business of Wine and Brown-sugar. During course of investigation the witnesses have fully supported the prosecution case as well as the fact of recovery of three bottles of liquor as well as 100 gm of Brown-sugar from a bag which was carried by the petitioner Samir Anand. The materials so far collected during investigation suggests the involvement of petitioner in the alleged occurrence. The investigation of the case is still going on.
8. Therefore, considering the nature and seriousness of allegation, the complicity of the petitioner in the alleged occurrence, its impact on the society and the fact that the investigation of the case is still going on, this court is not inclined to release the petitioner on bail. Accordingly, the bail petition of the petitioner Samir Anand is hereby rejected.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.