

In The Court of Sessions Judge, Buxar

A.B.P. No. 299 of 2026

(Arising out of Buxar Town P.S. Case No. 85/2026)

Krishna Sah Versus State of Bihar

Present: Kajal Jhamb,
Sessions Judge, Buxar

Date of Order: 07th April, 2026

Present Anticipatory Bail Petition filed on behalf of petitioner **Krishna Sah** aged about 25 years, S/o Radhshyam Sah, who is apprehending his arrest in connection with **Buxar Town P.S. Case No. 85/2026** registered u/s 20(b)(ii)(B), 25 of N.D.P.S. Act and 30(a) Bihar Prohibition & Excise Act is put up and moved today.

Copy of bail petition has already been served to the Ld. P.P. for the prosecution.

Sri Anil Kumar Thakur, learned Counsel for the petitioner certifies that, no other bail petition has ever been filed on behalf of the petitioner in this matter either before this Court or before the Hon'ble High Court nor is pending before any Superior Court. The petitioner has got criminal antecedent of only one case under Excise Act. Prosecution has no objection to the submissions.

The Counsel further submits that, petitioner is quite innocent and has been falsely implicated in this case. The recovery of alleged contraband has not been made from the conscious possession of this petitioner. The petitioner lives separately and he was not present at the place of occurrence, so he cannot be held liable for recovery from a premise where multiple family members reside. The petitioner is a socially active person and has been implicated in this case due to enmity with police. The petitioner is not a habitual offender. The petitioner undertakes to cooperate in investigation. Therefore, petitioner deserves to be enlarged on anticipatory bail.

Sri Surendra Prasad Singh, learned Special P.P. for the State vehemently opposes Bail Petition and prays to reject the anticipatory bail of the petitioner. He submits that a total of 4.5 kg of Ganja and 2.520 Liter whiskey has been recovered in instant case. The quantity of contraband recovered substantiate that the petitioner is engaged in trade of the same.

Prosecution case in brief according to self statement of informant Inspector Manoj Kumar Singh, S.H.O. Buxar Town P.S. is that on 12.02.2026 at about 12.15 O'clock he received an input from Superior Officials that, one Krishna Shah has kept Ganja in his house and selling it in sachets. At about 12.45 O'clock he along with other police officials and Circle Officer, Buxar reached at the house of Krishna Sah, where Maya Devi was sitting in the verandah. In presence of Usha Kumari and Pintu Kumar, the house was searched and 4.5 kg Ganja, 2.520 liter illegal liquor and Rs. 81,000/- cash was recovered from the house. On inquiry Maya Devi (wrongly mentioned as Usha Devi in F.I.R.) disclosed that her son Krishna Shah brings Ganja and liquor from Uttar Pradesh and he sells it.

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Heard learned Counsel of both the parties and perused the Case Diary written upto para 80. The petitioner is F.I.R. named accused. The seizure list annexed with case record shows that 4.5 kg of Ganja and 2.520 liter of illegal liquor has been recovered in instant case. The co-accused Maya Devi (mother of petitioner) has confessed that her son (petitioner) brings the ganja and liquor from Uttar Pradesh and sells it. The witnesses in para 4, 5, 6, 28, 29, 32 of case diary have supported the prosecution case. The case is still under investigation.

Thus, considering the aforesaid facts and circumstances of the case, quantity of recovered contraband (ganja) and liquor, I am not inclined to release the petitioner on anticipatory bail. Accordingly, the present anticipatory bail of petitioner **Krishna Sah** is hereby **rejected**.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
07.04.2026

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