

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47147 of 2024

Arising Out of PS. Case No.-409 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Nand Kishor Sahani @ Nand Kishore Sahni son of Late Jagarnath Sahni,
resident of village -Rasulpur Wazid, P.S.- Ahiyapur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2024 Heard Mr. Sanjay Kumar S.K., learned counsel
appearing on behalf of the petitioner and Mr. Mukesh Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ahiyapur P.S. Case No. 409 of 2024 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 120 litres of country-
made liquor from a hut belonging to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. Petitioner has no
concern with the seized liquor nor he is involved in trade of
liquor in any manner. The place of recovery is an open place



which is accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the fact that the recovery of 120 litres of country-made liquor from a hut belonging to the petitioner, which is an open place and easily accessible to any one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. I, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 409 of 2024, subject to the condition as laid down under Section 438(2)



of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

