

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.843 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- MADHWAPUR District- Madhubani

Sharavan Kumar Sahni @ Shrawan Kumar Sahani Son Of Mahesh Sahni
Resident Of Village- Karahuan Ghat, Ps- Saharghat District -MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-01-2025 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is not named in
F.I.R. and apprehending his arrest in connection
with Madhwapur P.S. Case No. 28 of 2024,
registered for the offences punishable under
Sections 272 and 273, 414/34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. The allegation against the petitioner as
per FIR that motorcycle bearing registration no.
BR32AM-7699 was alleged to be used for carrying



illicit liquor, where during raid police seized total of 12 litres of illicit liquor from co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with this case only for the reason that he was found registered owner of the motorcycle bearing registration no. BR32AM-769. It is submitted that named co-accused Pawan Kumar is own brother of this petitioner and out of that family relation, the motorcycle of petitioner was taken by him, which was misused for carrying illicit liquor. It is submitted that admittedly illicit liquor was not recovered from the possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as admittedly illicit liquor not appears to be recovered from the physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of



the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court, where the case is pending in connection with Madhwapur P.S. Case No. 28 of 2024/ G.R. No. 335 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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