

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3238 of 2025

Arising Out of PS. Case No.-443 Year-2024 Thana- RAJNAGAR District- Madhubani

Om Prakash Sahani S/o Late Gogi Sahni @ Gogi Paswan R/o village -
Subhash chowk , p.s.- Rajnagar , district - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajnagar PS Case No. 443 of 2024 instituted for the offences
under Sections 274, 275, 3(5) of of the B.N.S. and 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 140.400
litres of liquor was recovered from Banana Orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that recovery is made from an open place, which is accessible to



one and all. The petitioner is in custody since 18.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajnagar PS Case No. 443 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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