

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7483 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- KOCHAS District- Rohtas

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1. Kanti Sahni W/O Ranjeet Sahani @ Pintu Sahani R/o vill - Parsauli, P.S. - Darbhanga, Distt.- Darbhanga, at present R/o vill - Nipani, P.S.- Sitamarhi, Distt.- Sitamarhi
 2. Ranjeet Sahani @ Pintu Sahani S/o Sitai Sahani R/o vill - Parsauli, P.S. - Darbhanga, Distt.- Darbhanga, at present R/o vill - Nipani, P.S.- Sitamarhi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Adv.
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kochas P.S. Case No. 320 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered total 336.960 liters of illicit liquor from a car.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence at all as alleged against them rather they have falsely been implicated in the present case only with a view to cause harassment. He



further submits that nothing incriminating has been recovered from the conscious possession of the petitioners rather the petitioners have taken lift from Amit Kumar, who was driving the car. The co-accused Amit Kumar @ Amit has already been granted bail by this Court vide order dated 17.01.2025 passed in Cr. Misc. No. 90143 of 2024. The petitioners are neither driver nor owner of the alleged car. The petitioners are just passengers and had no knowledge about the presence of the illicit liquor in the alleged car. The petitioners have no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent of the similar nature of offence and are languishing in judicial custody since 27.10.2024/16.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, 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 Kochas P.S. Case No. 320 of 2024.

(Rudra Prakash Mishra, J)

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