

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6653 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- NAYAGAON District- Saran

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Dashrath Sahani @ Dashrath Sahni S/O Kamaldev Sahni R/O Vill.- Rasulpur,
P.s- Nayagaon, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Madhumala Kumari, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nayagaon P.S. Case No. 257 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 90 liters of illicit country-made liquor from the bushes. It is
alleged that 5000 liters of raw material were destroyed at the
spot. The petitioner was apprehended at the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner rather



the alleged liquor has been recovered from the bush. The petitioner has 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 has no criminal antecedent and is languishing in judicial custody since 14.12.2024 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 petitioner.

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 petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nayagaon P.S. Case No. 257 of 2024.

(Rudra Prakash Mishra, J)

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