

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9689 of 2025

Arising Out of PS. Case No.-1085 Year-2024 Thana- ALAMGANJ District- Patna

Chhotu Sahani @ Vikash Sahani Son of Surendra Sahni, Resident of
Hanuman Ghat, Kedarnath Math, PS -Alamganj, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the State : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Alamganj PS. Case No.-1085 of 2024 dated 09.12.2024, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per allegation, total 100 litre country made liquor has been recovered from the bank of Ganga river, near the house of co-accused/Kumkum Kumari. As per further allegation, accused/petitioner and the co-accused were seen to be selling the liquor.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that there is no recovery from conscious possession of the petitioner, nor there is any material to show that the petitioner was involved in selling the liquor. He further submits that the whole prosecution case is based on suspicion without being supported by cogent evidence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in eight other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise Judge, Patna City, in connection with Alamganj PS. Case No.-1085 of 2024, subject to the



conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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