

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20738 of 2025

Arising Out of PS. Case No.-33 Year-2019 Thana- SARAI District- Vaishali

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Akhilesh Sahni @ Akhler Sahni @ Akhilesh Shani Son of Rameshwari Sahni
Resident Of Village- Paura Madan Singh, Tola- Dharhara Sarokhar Pokhar,
P.S.- Sarai, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Sarai
P.S. Case No. 33 of 2019 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The petitioner has earlier moved before this Court
with a prayer for anticipatory bail which was rejected by a Co-
ordinate Bench of this Court vide order dated 15.05.2019 passed
in Cr. Misc. No. 31207 of 2019.

4. As per prosecution case, the police has recovered
total 1734.84 liters of illicit foreign liquor recovered from the
hut.

5. 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. The name of the petitioner has transpired in this case on the basis of secret information. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The alleged recovery of illicit wine has been made from the hut of Rameshwar Sahni situated at Bhinda, east of Pokhara of Arjun Singh situated at village Paura in the Chaur (deserted place). The petitioner has never indulged in any kind of trade of 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 two criminal antecedents and is languishing in judicial custody since 14.02.2025 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused have been granted anticipatory bail by Co-ordinate Bench of this Court vide orders dated 13.08.2019 and 14.10.2022 passed in Cr. Misc. Nos. 36052 of 2019 & 41476 of 2022 respectively.

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

8. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as well as the period of custody of the petitioner, 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 Sarai P.S. Case No. 33 of 2019.

(Rudra Prakash Mishra, J)

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