

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21907 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- Excise P.S. District- Muzaffarpur

1. Indal Sahni, Male, age about 35 years, Son of Kanhai Sahni
 2. Devendra Sahni, Male, aged about 32 years, Son of Late Bhikhari Sahni
 3. Indrajit Sahni, Male, aged about 40 years, S/o- Vishnu Sahni
- All are resident of Village- Pakri, P.S.- Kanti, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Arun Kumar, learned counsel appearing on behalf of the petitioners and Mrs. Rita Verma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Excise P.S. Case No. 205 of 2025 registered for the offence punishable under Section 30 (a) and 30 (c) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether 35 litres of country-made liquor along with 7700 litres of raw ingredients for use of manufacturing of illicit liquor, was recovered from the bank of a river.

4. Learned counsel appearing on behalf of the



petitioners submits that the petitioners have been falsely implicated in the case due to local village politics. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Guddu Kumar. Petitioners have no concern with the seized liquor nor they are involved in trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioners cannot be ruled out from illicit trade of liquor.

6. Considering the fact that the recovery of altogether 35 litres of country-made liquor along with 7700 litres of raw ingredients for use of manufacturing of illicit liquor, was recovered from the bank of a river, which is an open place and easily accessible to any one. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused



Guddu Kumar. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Muzaffarpur, in connection with Excise P.S. Case No. 205 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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