

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27302 of 2025**

Arising Out of PS. Case No.-38 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Raja Sahni @ Raja Ram Sahni Son of Bhola Sahni Resident of village -  
Malikana Tola Lohagir, P.S.- Ujiarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2      25-04-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Musrigharari P.S. Case No. 38 of 2024 registered for the offences punishable under Sections 419, 420 of the Indian Penal Code and Sections 30(a), 33, 36 and 41 of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered total 600 liters of illicit spirit from a car and from the house of the co-accused Umesh Kumar & Nanki.

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



due to dirty village politics. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the other co-accused persons. The petitioner has also no concern with the alleged recovered illicit spirit. The petitioner has two criminal antecedents and in all of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused persons have been granted anticipatory bail by this Court vide orders dated 20.07.2024, 02.08.2024 and 10.12.2024 passed in Cr. Misc. Nos. 51041 of 2024, 51044 of 2024 & 85170 of 2024 respectively.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the prayer for anticipatory bail being based on parity, let the petitioner above-



named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Musrigharari P.S. Case No. 38 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

**(Rudra Prakash Mishra, J)**

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