

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24807 of 2025

Arising Out of PS. Case No.-169 Year-2024 Thana- KANHAULI District- Sitamarhi

Manoj Sahni son of Ramekbal Sahni Village -Hanuman Nagar Laxmipur PS-
Srayara Dist -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

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

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kanhauli P.S. case No.
169 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 135 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to village politics. No incriminating material
has been recovered from the conscious possession of the
petitioner. The petitioner has got no concern with the alleged
recovery of liquor. It is further submitted that local chowkidar



disclosed the name of the petitioner. The name of the petitioner has transpired as being owner of the motorcycle in question which was given to co-villager for his personal use. The petitioner is in custody since 19.02.2025 and has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has five criminal antecedents and he may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Kanhauli P.S. case No. 169 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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