

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29271 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- ASANWA District- Siwan

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Vishal Sahani Son of Naresh Sahani Resident of Village - Singhpur, P.S.-
Asaon, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate
For the State : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Ason P.S. Case No.13 of 2025,
dated.05.02.2025 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, about 50 litre of liquor has been
recovered from one motorcycle being driven by the
accused/Mukesh Paswan. As per the further allegation, the
petitioner was also there along with the co-accused who was
driving the motorcycle but he had fled away.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the motorcycle does not belong to



the petitioner and he has nothing to do with the alleged offence.

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 bail petition that the petitioner has no criminal antecedents.

7. However, learned 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 the concerned Court, in connection with Ason P.S. Case No.13 of 2025, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned 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, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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