

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30799 of 2025

Arising Out of PS. Case No.-508 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sheyam Kumar Sahni @ Shyam Kumar Sahni @ Shayam Sahni S/O
Brijkishor Sahani Resident of Village- Belbanwa, PS- Town, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 508 of 2024 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act.

3. As per prosecution case, the police has recovered
total 44 liters of illicit liquor from E-rickshaw.

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.
The petitioner was neither apprehended on spot nor anything



incriminating has been recovered from his conscious possession. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the apprehended co-accused persons. The petitioner is neither owner nor driver of the alleged E-rickshaw. The petitioner has one criminal antecedent in which he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. 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 has been granted anticipatory bail by this Court vide order dated 24.04.2025 passed in Cr. Misc. No. 25108 of 2025.

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, 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 Muffasil P.S. Case No. 508 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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