

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35437 of 2025

Arising out of PS. Case No.-169 Year-2025 Thana- ALAMGANJ District- Patna

Devraj Sahani @ Devraj Sahni, S/o Late Muneshwar Sahani, R/o Mohalla-
Old Alamganj Chowki Kedarmath, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s: Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 30(a) of the Bihar Prohibition and Ex-cise Act, 2016. He has six criminal antecedents.

3. As per the prosecution case, the police on a secret information that illegal liquor is being sold at Hanuman Ghat near Ganga Pathway, a raid was conducted. It is alleged that one person was apprehended who disclosed his name as Devraj Sahani @ Devraj Sahni (Petitioner) and on search total 85 litres of country-made Mahua liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he carries a large number of criminal an-



tecedents of similar nature. It is further submitted that no such incident as alleged has occurred. It is also submitted by learned counsel for the petitioner that no incriminating article was recovered from the conscious physical possession of the petitioner. It is next submitted by learned counsel for the petitioner that he was roped in the present case merely because he carries a large number of criminal antecedent. It is lastly submitted that the petitioner has six criminal antecedents and is in custody since 12.02.2025. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 10,000/- in the account of Advocate Association of the Patna High Court.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the period of custody of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna City, Patna in connection with PTN 274 of 2025 arising out of Alamganj P.S. Case No. 169 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If any subsequent case of similar nature is lodged against the petitioner, the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.

(v) And further condition that the court below shall verify the criminal antecedent of the petitioner except six cases and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of the same or
in the name of verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

8. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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