

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43085 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- JAYNAGAR District- Madhubani

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Ashok Sahni Son of Ram Kishun Sahni R/O Vill- Baira, Gumani Tola, P.S.-
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

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

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jaynagar P.S. Case No. 129 of 2025 (G.R. No. 525 of 2025)
instituted for the offences under Sections 274, 275 and 317(5) of
the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 900 liters of illicit Nepali liquor from the car.

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 local village politics. The petitioner was not arrested from



the place of occurrence and his name has surfaced in this case on the basis of the disclosures made by the local *Chowkidar*. The petitioner has no concern either with the alleged recover of illicit liquor or the seized vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedent and is languishing in judicial custody since 25.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail 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 Jaynagar P.S. Case No. 129 of 2025 (G.R. No. 525 of 2025), subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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