

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46898 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- MADHWAPUR District- Madhubani

Raju Kumar Sahni S/o Lal Babu Sahni, Resident of Village-Mormoth, Ward no 12, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Madhwapur P.S. Case No.16 of 2025 instituted under Sections 274, 275, 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is a recovery of 103.5 litres illicit liquor from two motorcycles. The motorcycle of petitioner was also seized which was driven by co-accused Dasrath Sahni, against whom there is allegation that he was doing the work of liner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that recovery has not been made from the motorcycle of petitioner. Learned counsel submits that motorcycle of the petitioner has been taken by the co-accused Dasrath Sahni



on the pretext of purchasing house hold goods and the petitioner has no knowledge about the occurrence. He further submits that nothing has been recovered either from the possession of the petitioner or from his house. Learned counsel submits that petitioner has no concern with the other co-accused persons. He further submits that petitioner has one criminal antecedent which does not belongs to Excise Act and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (Excise Court), Madhubani in connection with Madhwapur P.S. Case No.16 of 2025, subject to the conditions as laid down in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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