

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44497 of 2025

Arising Out of PS. Case No.-349 Year-2024 Thana- EXCISE MADHUBAN District- East
Champaran

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Munna Kumar Sahni @ Munna Sahni S/o Basudev Sahni @ Vasdev Sahni @
Vasdev Sahani Resident of village- Khatolwa, P.S.- Kalyanpur, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier anticipatory bail of the petitioner was
rejected vide order dated 02.04.2025 passed in Cr. Misc. No.
15513 of 2025 (Annexure-P1).

3. The petitioner seeks bail in connection with Excise
Madhuban P.S. Case No. 349 of 2024, instituted for the offences
punishable under Sections 30(a) and 44 of the Bihar Prohibition
and Excise Act.

4. The prosecution case, in short, is that, 172.800
liters liquor was recovered from bushes.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner was not apprehended on spot. Name of the petitioner has transpired in this case on the basis of co-accused, namely, Abhay Kumar and the same has got no evidentiary value. It is further submitted that the alleged recovery has been made from bushes which is an open place and the same is easily accessible to the public at large. The petitioner is in custody since 07.05.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let 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 Court
below/concerned Court in connection with Excise Madhuban
P.S. Case No. 349 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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