

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50850 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- Excise P.S. District- Darbhanga

Ajay Sahani Son of Sri Jagdish Sahani Resident of Saramohanpur ward No 11
PS -Sadar, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise Police Station Sadar (Darbhanga) P.S. Case No. 159 of 2025, dated 22.05.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Special Judge 1st (Excise Act) Darbhanga.

3. As per the prosecution, total recovery of 252 litres of illicit Nepali wine has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that although a raid was conducted at the petitioner's house, the recovery of 252 litres of illicit Nepali wine was made from the passage adjacent to the informant's house, which also



serves as the entryway to the petitioner's house and, in fact, it is a public place. He also submits that the petitioner has clean criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the recovery has been made from the petitioner's house.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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