

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56379 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- BELA INDUSTRIAL District-
Muzaffarpur

Vijay Sahani Son of Jay Kishun Sahni village- Shekhpur, Ps- Ahiyapur, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Bela P.S. Case No. 35 of 2023 instituted for the offences
under Sections 272, 273/34 of the Indian Penal Code and
Section 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 13731.840 liters of illicit foreign liquor of different brands
from seven different vehicles. It is alleged that from the tempo
bearing Regd. No. BR06GA 5332 which belongs to the
petitioner, total 347.04 liters of illicit liquor was recovered.

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. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the registered owner of the alleged tempo bearing Regd. No. BR06GA 5332. The petitioner was not aware about the so-called illicit liquor being transported by his vehicle. The petitioner has never indulged in illegal trade, transport or export and import of the illicit liquor. 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 no criminal antecedent. Learned counsel for the petitioner further submits that the co-accused Rajendra Rai has already been granted privilege of anticipatory bail by this Court vide order dated 18.07.2025 passed in Cr. Misc. No. 49206 of 2025.

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. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bela P.S. Case No. 35 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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