

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51596 of 2025

Arising Out of PS. Case No.-167 Year-2021 Thana- ALAMGANJ District- Patna

Devraj Sahani @ Devraj Sahni @ Dev Raj Sahni S/o Late Bhuneshwar Sahani @ Late Muneshwar Sahani. At present - Resident of Alamganj Chowki, Kedarnath Math, P.S- Alamganj, District- Patna. Permanent address- Khanjaha, P.S. - Lalganj, Dist. - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Spl. Case No. 2069 of 2021, arising out of Alamganj P.S. Case No. 167 of 2021 dated 16.03.2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit country made mahua liquor was recovered from the footpath near Gosai ghat.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. Nothing has been recovered from the conscious possession of the petitioner, rather the recovery has



been made from an open place which is accessible to all. The petitioner has no concern with the alleged recovery. The petitioner has got 8 criminal antecedents of similar nature as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 04.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Court of Excise, Patna City, in connection with **Alamganj P.S. Case No. 167 of 2021**, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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