

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57220 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- MAHINDWARA District- Sitamarhi

Rambabu Sahnani Son of Raghuni Sahni R/o Village - Koahi, Ward no. 15, P.S.
- Mahindwara, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

4 12-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahindwara P.S. Case No. 12 of 2025, instituted for the offences punishable under Sections 30(a), 30(c) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3890.97 liters liquor was recovered from basement of the house of petitioner.

4. 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 is not the owner of the house from where the alleged recovery of liquor has been made. The petitioner is in custody since 01.08.2025 and has got six criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 23.09.2025 passed in Cr. Misc. No. 64813 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. 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.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahindwara P.S. Case No. 12 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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