

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65068 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- MANJHAGARH District- Gopalganj

Vijay Sahani, Son of Nathuni Sahani, R/o Bhainsahi Malahi Tola, P.S.-
Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Satyendra Rai, learned counsel for the
petitioner and Mr. Bharat Lal, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Manjhagarh P.S. Case No. 209 of 2025 dated 13.06.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act (in short 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of 8 litres of illicit country made liquor from the backpacks and as per the prosecution, this petitioner and co-accused Ramdeo Sah were indulged in selling of illicit liquor and upon receiving a secret information about their alleged act, the police party reached at the alleged place and succeeded in apprehending the



co-accused Ramdeo Sah and in the statement of the said apprehended co-accused, the petitioner's name surfaced as being involved with him in selling the alleged liquor and except this disclosure showing the petitioner's involvement in the commission of the alleged offence, there is nothing and the same is not sufficient to attract even a *prima facie* case against him under the Excise Act, therefore, his prayer for anticipatory bail is not hit by the provisions of section 76(2) of the Excise Act. It is lastly submitted that the petitioner bears no criminal antecedent and his past history is completely clean and he has not remained involved in any kind of offence relating to the Excise Act.

4. Learned APP appearing for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the submissions as stated above and coupled with petitioner's fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, 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 bond of Rs. 20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Manjhagarh P.S. Case No. 209 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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