

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69387 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- MAHINDWARA District- Sitamarhi

1. Sudhir Sahni S/o Manoj Sahni Resident of Village- Koahi, ward No 14, PS- Mahindwara, Distt.- Sitamarhi
2. Dharmendra Sahni s/o Shobit Sahni @ Ramsobhit Sahni R/o vill - Koahi, ward no. 14, P.s.- Mahindwara, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Mahindwara P.S. Case No. 127 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, informant had given information to the police personnel that petitioners and other had kept illicit liquor in the vacant field behind her house and thereafter, 94.500 litre illicit liquor was recovered from the spot.

4. Learned counsel for the petitioners submits that the place of recovery is an open which is accessible to all and



petitioners cannot be held liable for the same. He further submits that just because of having inimical term with the informant, petitioner has falsely implicated the petitioners in the present case. Petitioners are innocent and have committed no offence as alleged in the FIR. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provisions of Bihar Prohibition and Excise Act. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners by submitting that name of petitioners finds place in the FIR and hence, they cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Sitamarhi in connection with Mahindwara P.S.



Case No. 127 of 2025, subject to the conditions as laid down
under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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