

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74557 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- SARAI RANJAN District- Samastipur

Ram Babu Sahni S/O Jamadar Sahni @ Jamindar Sahni @ Jimadar Sahni R/O
Vill.- Harpur Barhetta, P.S.- Sarairanjan, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was dismissed as withdrawn vide order dated 12.09.2025 passed in Cr. Misc. No. 55829 of 2025.

2. The petitioner seeks bail in connection with Sarairanjan P.S. Case No. 103 of 2025 instituted for the offences under Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 2752.965 liters of illicit foreign liquor from the ten-wheeler



Truck, Scorpio, Bolero and motorcycle.

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. The petitioner was not apprehended at the place of occurrence and his name has transpired in this case on the basis of the disclosures made by the *Mahal Chowkidar*. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized liquor or the co-accused persons. 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 one criminal antecedent and is languishing in judicial custody since 30.08.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Abhishek Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01.09.2025 passed in Cr. Misc. No. 55665 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner,
let the petitioner, abovenamed, be released on bail 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 Sarairanjan P.S.
Case No. 103 of 2025.

(Rudra Prakash Mishra, J)

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