

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72980 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- HARLAKHI District- Madhubani

Vijay Sahni S/o- Sukhdeo Sahni, R/o - Kaluahi, P.S - Kaluahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar @ Ashok Karn, Advocate.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered under Sections 274, 275 & 3(5) of B.N.S., 2023 and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, some accused persons carrying illicit liquor from the side of Nepal entered into India and on seeing the police team, they throw the same and fled away. However, two accused persons including the petitioner were apprehended on the spot and total 873 litre illicit Nepali country made liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. He further submits that no



incriminating article has been recovered from the conscious possession of petitioner. Learned counsel submits that search and seizure was not conducted in the presence of independent witnesses and there is violation of Section 103 & 105 of B.N.S.S. He further submits that petitioner is in custody since 27.08.2025 and he has got clean antecedent. Learned counsel submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Harlakhi P.S. Case No.248 of 2025 (G.R. No.1140 of 2025).

(Sunil Dutta Mishra, J)

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