

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73636 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- BAIRGACHHAI District- Araria

1. Sanjit Sahani, S/o Mohit Sahani, Resident of village - Runni Saidpur, Police station- Saidpur, Dist- Muzaffarpur
2. Ravi Sahani, S/o Fuldev Sahani @ Purn Deo Sahani, R/o vill - Amaitha, ward no. 4, P.S.- Saraiya, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-10-2025 Heard Mr. Mukesh Kumar Rana, learned counsel for the petitioners and Mr. Mritunjay Kumar Nirala, learned APP for the State.

2. Petitioners seek regular bail in connection with Baigachhi P.S. Case No. 94 of 2025 dated 29.08.2025 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 petitioners' counsel are that the instant matter relates to the recovery of 140.025 litres of foreign liquor from a car, though the petitioners were found in that vehicle at the time of recovery but they were present simply being as the driver and co-driver of that vehicle,



in fact the informant, who happens to be a police officer, demanded the original documents of the alleged vehicle which were not with the petitioners, then a hot talk exchanged in between them, due to which, the informant fabricated a false story implicating both the petitioners in the recovery of the alleged liquor. It is further submitted that the owner of the alleged vehicle is a different person and the past of the petitioners is completely clean and they have never remained involved in any activity punishable under the Excise Act. It is lastly submitted that the petitioners, who are very poor persons, have been languishing in jail since 29.08.2025 and against them the investigation has been completed.

4. Learned APP for the State has opposed the prayer of the petitioners.

5. Considering the above stated facts and mainly the petitioners' fair and clean antecedent, completion of investigation against them and also the fact that the main prosecution witnesses, particularly, the witnesses of the search and seizure, who are to be examined in the trial of the petitioners, are police officials, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be released on bail on furnishing bail bond of Rs.



20,000/- (Rupees Twenty Thousand) each with two sureties of
the like amount each to the satisfaction of the court concerned in
connection with Bairgachhi P.S. Case No. 94 of 2025.

(Shailendra Singh, J)

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