

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76878 of 2025

Arising Out of PS. Case No.-630 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

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Sunil Sahani @ Sunil Sahni Son of Ramdev Sahani Resident of village -
Hussepur Naya Tola, P.S.- Sahebganj, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shabina Talat, Advocate

For the Opposite Party/s : Mr.Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 13-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sahebganj P.S. Case No. 630 of 2024, instituted for the offences
punishable under Section 30(a) and 30(d) of the Bihar Prohibition
and Excise Act. Earlier, the anticipatory bail of the petitioner has
been rejected by a co-ordinate Bench of this Court vide order
dated 10.04.2025 passed in Criminal Miscellaneous No. 15276 of
2025.

3. The prosecution case, in short, is that 250 liters of
country made liquor was recovered from the bank of river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. The name of the



petitioner has been disclosed by the local Chowkidar. Learned counsel for the petitioner further submitted that the recovery has been made from the bank of the river, which is accessible to public at large. The petitioner is in custody since 15.09.2025 and has got 03 criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Sahebganj P.S. Case No. 630 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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