

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79245 of 2025

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

Baidhyenath Sahni Son of Yugal Sahani Resident of village - Shahpur,
Sheetalpatti, Ward No.- 03, Police Station - Sahiyara, District - Sitamadhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kanhauli P.S. Case No. 127 of 2025 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 441 litres
of liquor was recovered from motorcycle and three cycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner. The name of the petitioner transpired in this case on the basis of secret information. Learned counsel further submitted that petitioner is in no manner connected with the vehicles in question or the alleged recovery of liquor. The petitioner is in custody since 13.10.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 Kanhauli P.S. Case No. 127 of 2025, 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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