

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82486 of 2025

Arising Out of PS. Case No.-419 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Sanjay Sahni S/O Panchu Shahni R/O Village- Patpara, Uttar, P.S.-
Bibhutipur, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

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

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 419 of 2023, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 25 liters
liquor was recovered from an open place near dam.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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. Learned counsel for the



petitioner also submits that the alleged recovery has been made from an open place which is easily accessible to the public at large. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 10.07.2025 and has got six criminal antecedents. 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 ***after framing of charge, if not already framed*** 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 Bibhutipur P.S. Case No. 419 of 2023, 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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