

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84035 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- KHAJAU LI District- Madhubani

Manoj Kumar Sahni @ Manoj Sahni Son of Dhaneshar Sahni @ Nage Sahni
@ Dhaneshwar Sahni, Resident of Village - Inarwa, Ward No. 12, P.S. -
Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Soban Asghar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Khajauli P.S. Case No. 181 of 2025 dated 31.08.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the allegation, total 57.925 litre of illicit liquor has been recovered from bush. As per further case of the prosecution, as per secret information, the petitioner had concealed that liquor in the bush and he was intended to sell it. It is further case of the prosecution that when the police reached near the place of recovery, they saw the petitioner fleeing away.



4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the recovery has been made from an open space, which is accessible to public at large. He further submits that the petitioner has nothing to do with the alleged offence and the whole case is based on suspicion without any connecting evidence.

5. As such, there is no *prima facie* case made out against the Petitioner under Excise Act and the Petitioner is entitled to get anticipatory bail.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

8. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

9. Considering the fact that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a



copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Khajauli P.S. Case No. 181 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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