

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86503 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- UJIYARPUR District- Samastipur

Kamlesh Sahani @ Kamlesh Kumar Son of Ram Sagar Sahni Resident of
Ward No. 9, Chandauli, P.O.- Chandauli, P.S.- Ujiyarpur, Samastipur, Bihar-
848132

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj

For the Opposite Party/s : Mr. Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Ujiyarpur P.S. Case No.278 of 2025, dated 05.11.2025 registered for the offences under Sections 30(a) & 41(1)(2) of Bihar Prohibition and Excise Act, 2022.

3. As per the FIR, altogether police recovered 24.750 liters of illicit liquor from an open field situated behind the newly constructed house of one Ranjeet Jha, 1.5 liters of foreign liquor from the cabin of a 12-wheel truck bearing Registration No.BR02GA-2229.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



instant case solely on the basis of suspicion raised by the local people. There has been no recovery from the constructive possession of the petitioner, and he is in no manner connected with the seized liquor. The petitioner has no concern with the vehicle or the field from which the recovery has been made. In fact, the recovery has been made from the house of Ranjeet Jha, with which the petitioner has no connection. Learned counsel fairly submits that the petitioner has seven criminal antecedents akin to the instant case, in all of which he is already on bail.

5. Learned counsel for the petitioner, on instructions, and without accepting his guilt, proposes to deposit a sum of Rs. 20,000/- (Rupees Twenty Thousand only) in the welfare account of the Advocates' Association of the Patna High Court.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Samastipur, in connection with Ujiyarpur P.S. Case No.278 of 2023 subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.20,000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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