

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2949 of 2025

Arising Out of PS. Case No.-494 Year-2022 Thana- BAHADURPUR District- Darbhanga

Baiju Kumar @ Baiju Sahni S/O Late Hakra Sahni @ Hakanu Sahni R/o
Vill.- Ammadih, P.S.- Bahadurpur, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Bahadurpur P.S.
Case No. 494 of 2022 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 30 litres of IMFL/country
made liquor from the bank of Bagmati river.



4. Learned counsel appearing on behalf of the petitioner submitted that the alleged illicit liquor appears to be recovered from an open place i.e. bank of Bagmati river. It is pointed out that the name of this petitioner transpired in this case on the basis of suspicion raised by local choudidar, where in furtherance of which no incriminating material alleged to be recovered from this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as *prima facie* illicit liquor not appears to be recovered from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge -1st (Excise Act), Darbhanga/concerned Court, where the case is pending in



connection with Bahadurpur P.S. Case No. 494 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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