

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.990 of 2026

Arising Out of PS. Case No.-85 Year-2019 Thana- TAJPUR District- Samastipur

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Ram Kumar Sahni @ Raj Kumar Sahani S/o Lala Sahani Resident of village-
Jitwarpur Bhubkhara Indrawara, PS- Tajpur (Halai OP), Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 This case has been taken up on the mentioning of the

learned counsel for the petitioner wherein he has pointed out

that the mother of the petitioner died on 02.01.2026.

2. Heard the learned counsel for the petitioner and

learned APP for the State.

3. Petitioner, who is in custody, seeks bail in

connection with Tajpur (Halai O.P.) P.S. Case No. 85 of

2019 registered for the offence(s) punishable under

Section(s) 30(a), 41(i) and 42(ii) of the Bihar Prohibition

and Excise Act.

4. As per the prosecution case, total 2623 liters of

illicit liquor is said to have been recovered from a truck.

5. The learned counsel for the petitioner submits



that the petitioner is innocent and falsely been implicated in this case and he was not apprehended at the place of occurrence. It is further been submitted the no incriminating article has been recovered from his conscious possession. It has also been submitted that the petitioner is neither the owner of the truck and nor has any concern with the recovered illicit liquor. It is next submitted that the co-accused persons, namely, Kanhai Sahani and Ajeet Sahani have been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 23.12.2025 passed in Cr. Misc. No. 88166 of 2025. It has lastly been submitted that the petitioner was working as a labourer and was living outside and hence, was not aware about the pendency of his case against him and ultimately petitioner surrendered on 04.12.2025 and he carries clean antecedent.

6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case and taking note of the fact that the nothing was recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Tajpur (Halai O.P.) P.S. Case No. 85 of 2019, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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