

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3370 of 2026

Arising Out of PS. Case No.-1260 Year-2025 Thana- Excise P.S. District- Sitamarhi

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Dharmendra Sahni S/O Tilai Sahni Resident of village - Bari Bharsar, P.S. -
Malangwa, Dist. -Sarlahi, Country-Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Prohibition PS Sitamarhi Case No. 1260 of 2025 instituted for
the offences under Section/s 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 309 liters
liquor was recovered from sack.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 03.11.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Prohibition PS Sitamarhi Case No. 1260 of 2025, subject to the following conditions:

(I) One of the bailors shall be deponent of the present bail application, namely, Urmila Kumari.

(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.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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