

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5634 of 2026

Arising Out of PS. Case No.-948 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Sudish Sahani R/o Rambabu Sahni @ Ramababu Sahni R/o Village -
Dakrama, Ward no. 2, P.S. - Hathauri, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases but then was acquitted in
one case, as such as of date he has antecedent of four cases, but
then a defect was pointed out by the office with regard to
antecedent based on the antecedent recorded in the order
impugned which recorded that petitioner has antecedent of five
cases, it is next submitted that initially at para-3 it was pleaded
that petitioner has antecedent of four cases, but since the defect
was pointed out as such a supplementary affidavit has been filed



bringing the aforesaid fact on record. Learned counsel next submits that allegation is of recovery of 245 litres of spirit from an open field.

4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the alleged recovery is from an open field which does not belong to the petitioner and he came to be implicated based on secret information which is the easiest way to implicate someone. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation. It is also submitted that petitioner is in custody since 14-12-2025.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Muzaffarpur Excise
P.S. Case No. 948 of 2025.

(Satyavrat Verma, J)

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