

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4616 of 2026

Arising Out of PS. Case No.-323 Year-2025 Thana- MAHISHI District- Saharsa

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Ram Bharos Sahni Son of Bauka Sahni R/O Village - Jamalpur, P.S.-
Jamalpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahishi P.S. Case No. 323/2025 instituted for the offences
under Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act

3. The prosecution case, in short, is that total 360 litres
of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that petitioner is neither the
owner nor the driver of the vehicle. The petitioner has got no
concern with the alleged recovery of liquor. Learned counsel,



therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 as also the petitioner has two criminal antecedents of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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