

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4810 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- DOBHI District- Gaya

1. Arvind Sahni S/o China Sahni R/o Village - Sumerganj, P.S - Kathara (Wrongly mentioned in Chehrakala Mahua in Fardbeyan of FIR), District - Vaishali
2. Mahesh Kumar S/o Kedar Sahni R/o Village - Rewa, P.S - Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Dobhi P.S. case No. 311 of 2025 instituted for the offences under Sections 30(a), 32(1), 32(2), 36, 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 2073.6 liquor was recovered from truck and both the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that petitioners were not the owner of the truck in question rather the petitioners were driver and clean of the vehicle and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 04.12.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioner No. 1 be released on bail *after framing of charge, if not already framed* whereas petitioner No. 2 be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dobhi P.S. case No. 311 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioners.

(II) The petitioners 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 petitioners.

(III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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