

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8202 of 2026

Arising Out of PS. Case No.-176 Year-2018 Thana- SONBERSA District- Sitamarhi

Fekan Sahni @ Phekan Sahni Son of Ramdev Sahani Resident of village -
ward no. 9, Parariya @ Parariya, P.S.- Sonbarsa, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

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

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sonbarsa P.S. Case No. 176 of 2018, instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 432 liters liquor was recovered from a bamboo orchard near river bank.

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. Learned counsel



for the petitioner also submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner was not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by other co-accused person. The petitioner is in custody since 07.12.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa P.S. Case No. 176 of 2018.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

