

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16955 of 2026

Arising Out of PS. Case No.-398 Year-2025 Thana- BAHADURPUR District- Patna

Pathalu Sahani @ Patlu Sahni Son of Kuldeep Sahani Resident of Rusulpur
Daud, Salempur Dumaria, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a hut, altogether 100 liters of country made liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. He has been falsely implicated in this case. He has no concern with the alleged recovery or with the alleged hut from where the recovery has been made. The witness of the seizure list is police



personnel and police has not followed Section 105 of BNSS while preparing seizure. Moreover, he is languishing in judicial custody since 30.11.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bahadurpur P.S. Case No. 398 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City.

(Ashok Kumar Pandey, J)

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