

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15014 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- RUNISAIDPUR District- Sitamarhi

Abodh Kumar @ Abodh Kumar Sahni S/o- Shekhar Sahni R/v- Runni
Saidpur Ghat Ps- Runnisaidpur Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr.Aryan Singh, learned counsel for the
petitioner and Mr.Damodar Prasad Tiwary, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
14.01.2026 in connection with Runnisaidpur P.S. Case No. 16
of 2026, F.I.R. dated 13.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 57.75 liters of illegal English liquor.

4. Learned counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR. Further submits that it appears from the FIR
as well as the seizure list that altogether 57.75 liters of illegal



English liquor was recovered from the field of co-accused persons, namely, Munchun and Awadhesh Mandal and the petitioner has been made accused in the present case merely on the basis that he has associated with other co-accused persons. It appears from the FIR itself that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the open field of co-accused persons and there is non-compliance of Section 103 of BNSS, 2023 and the petitioner is in custody since 14.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact and recovery has been made from the field of co-accused persons, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-I, Sitamarhi in connection with Runnisaidpur P.S. Case No. 16 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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