

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19129 of 2026

Arising Out of PS. Case No.-165 Year-2025 Thana- AURAI District- Muzaffarpur

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Raushan Sahni @ Raushan Kumar @ Raushan Chaudhari Son of Lakhan
Sahni @ Lakhan Chaudhari R/O Village - Dhasna, P.S.- Aurai, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar
For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the Excise Act and
allegation is of recovery of 250.56 litres of liquor from a Bolero
vehicle. It is next submitted that petitioner was not arrested from
the spot as such nothing was recovered from his conscious
possession and is not the owner of the seized vehicle and he
came to be implicated based on confessional statement of
Amarnath in police custody which does not have any
evidentiary value. It is next submitted that after amendment in
the Excise Act in the year 2018, the concept of deemed



possession and presumed offender has been done away with. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation. It is next submitted that petitioner is in custody since 06.02.2026 and charge sheet has been submitted. It is also submitted that if privilege of bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned A.P.P. opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Aurai P.S. Case No.165/2025.

(Satyavrat Verma, J)

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