

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18378 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- AURAI District- Muzaffarpur

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Raushan Sahni @ Raushan Kumar @ Roshan Sahni Son of Lakhan Sahni
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, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Hemant Kumar, learned counsel for the

petitioner and Mr. Pranav Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.02.2026 in connection with Aurai P.S. Case No. 137 of 2025,
F.I.R. dated 26.06.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 2379.960 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the FIR and his name has been transpired during investigation
on the basis of the disclosure made by the apprehended co-
accused persons, namely, Harendra Sahni, Raj Kumar Sahni and



Munna Sahni and they have disclosed that the petitioner was present at the place of occurrence. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather 2379.960 liters of foreign liquor has been recovered from the place of occurrence. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor and there is non-compliance of Section 103/105 of the BNSS, 2023. He further submits that the similarly situated co-accused, namely, Raj Kumar Sahani has been granted bail by a Co-ordinate Bench of this Court vide order dated 06.08.2025 passed in Cr. Misc. No. 53709 of 2025. The petitioner is in custody since 02.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedents of similar nature other than the present one.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge Excise-II, Muzaffarpur in connection with Aurai



P.S. Case No. 137 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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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