

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19507 of 2026

Arising Out of PS. Case No.-422 Year-2020 Thana- DUMRA District- Sitamarhi

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Sunil Sahni @ Sunil Kumar Son of Mahadev Sahni @ Mahadeo Sahni R/o
village - Lagma, P.S.- Dumra, Dist.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard leaned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks bail who is in custody since
15.12.2025 in connection with Dumra P.S. Case No. 422 of
2020 for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The prosecution story, in brief, in brief as stated in
the typed petition of the informant named as Rajesh Ranjan
(S.I.) that on 25.12.2020 at about 01:45 a.m, at Lagma Echowk,
these two accused petitioners fled away from the place of
occurrence, on searching a rickshaw, a total 1339.890 liters of
illegal English liquor was recovered from the rickshaw on the
place of occurrence. These two accused petitioners' name were
disclosed through secret sources to the police. Accordingly,
seizure list was prepared.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case, it is



further submitted that name of the petitioner has transpired on the basis of disclosure made by the apprehended co-accused persons, namely, Sunil Sahni and Rishikesh Kumar. Learned counsel for the petitioner further submits that it appears from the FIR that nothing has been recovered from the conscious possession of the petitioner and petitioner is not the owner of the vehicle in question and co-accused persons, namely, Sunil Sahni and Rishikesh Kumar, who have disclosed the name of the petitioner, have been granted bail vide order dated 22.10.2021 passed in Cr. Misc. No. 39508 of 2021. It is next submitted that police after investigation has submitted charge-sheet and the petitioner is in custody since 15.12.2025.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case of similar nature other than the present case.

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 Excise Court No. 1, Sitamarhi in connection with Dumra P.S. Case No. 422 of 2020 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 canceled 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)

Gaurav Sinha/-

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