

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24775 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- Excise P.S. District- Lakhisarai

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1. Matlu Sahni Son of Late Bajo Sahni Resident of Village- Pali P S. -Birupur District -Lakhisarai
 2. Mahesh Mahto Son of Laxman Mahto Resident of Village- Pali P S. -Birupur District -Lakhisarai
 3. Sulo Sahni Son of Late Mangal Sahani Resident of Village- Pali P S. -Birupur District -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Barahiya Excise P.S. Case No.12 C2 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that on the bank of a river altogether 20 liters of country made liquor and 300 kg of Jawa *mahua* liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that the recovery has been made from an open place. As per FIR, the petitioners were sent their in suspicious condition. Learned counsel for the petitioners has



further submitted that no recovery has been made from the possession of these petitioners. Learned counsel has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been submitted that the petitioners have got no criminal antecedent and they are in judicial custody since 01.03.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the court of learned District and Additional Sessions Judge-VII-cum-Exclusive Special Excise Court-II, Lakhisarai in connection with Barahiya Excise P.S. Case No.12 C2 of 2026.

(Ashok Kumar Pandey, J)

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