

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23684 of 2026

Arising Out of PS. Case No.-47 Year-2026 Thana- Excise Benipatti District- Madhubani

Chandra Kishore Sahni Son of Late Mushar Sahni Resident of Village -
Parsouni, Police Station - Patauna, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the State : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2026 Heard Mr. Shailendra Kumar Jha, learned counsel
for the petitioner and Mrs. Shaheen Begum, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
22.02.2026, in connection with Benipatti Excise P.S. Case No.
47 of 2026 corresponding to G.O. No. 530 of 2026, F.I.R. dated
21.02.2026 registered for the offences punishable under Section
30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 99 litres of *Nepali country made*
liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. 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 recovery has been made from the motorcycle in question and petitioner is not the owner of the motorcycle in question. He further submits that from perusal of the seizure list it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 22.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court, Madhubani in connection with Benipatti Excise P.S. Case No. 47 of 2026 corresponding to G.O. NO. 530 of 2026, subject to the following conditions :-

(1) 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.

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

(3) 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 antecedents, 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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