

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26553 of 2026

Arising Out of PS. Case No.-54 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Diplal Sahni S/o Mahatam Sahni R/o - Babu Vishunpur, P.S - Yadopur,
District - Gopalganj

... .. Petitioner/s

Versus

The State of Biha

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Deepankar Raj, learned counsel for the

petitioner and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.03.2026 in connection with Vishambharpur P.S. Case No. 54
of 2024, F.I.R. dated 17.04.2024 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. Recovery is of 92.800 liters of country made 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 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 the recovery has



been made from temple of Ramashankar Singh and the petitioner has been made accused merely on the basis of suspicion and except the suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Sugreev Sahani @ Gugriv Sahani has been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 21.08.2024 in Cr. Misc. No. 59730 of 2024 and the petitioner is in custody since 11.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

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 District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Vishambharpur P.S. Case No. 54 of 2024, 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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