

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28229 of 2026**

Arising Out of PS. Case No.-345 Year-2025 Thana- Excise P.S. District- Khagaria

Surendra Sahni, S/O Narayan Sahani, R/o vill - Navtolia Mathurapur, ward  
no. 15, P.S- Khagaria, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      04-05-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that from  
the house of the petitioner, altogether 5 liters of illicit liquor was  
recovered.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
been falsely implicated in this case. Nothing has been recovered  
from his possession. It has further been submitted that the  
witnesses of the seizure list are police personnel. Police has not  
complied Section 105 of the B.N.S.S. while making the seizure.



Petitioner is languishing in judicial custody since 23.11.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of six cases out of which five are of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria Excise P.S. Case No. 345 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Excise Judge-II, Khagaria **with the condition that petitioner shall not indulge himself in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

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