

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31997 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- MAKER District- Saran

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Raja Sahni, Son of Uma Sahni, Resident of village - Bariyarpur Baghakol,
P.S.- Maker, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026

1. Heard the parties

2. The petitioner seeks regular bail in connection with
Maker P. S. Case No. 28 of 2026 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case merely on the basis of suspicion and disclosure
allegedly made by the co-accused. It is submitted that the
petitioner was not apprehended from the place of occurrence
and no recovery has been made from his conscious possession.
Learned counsel further submits that the alleged recovery was
made from an open backyard field area which was not under the
exclusive possession of the petitioner. It is also submitted that
the quantity allegedly recovered is only 2.2 litres and there are



material inconsistencies in the prosecution case. Learned counsel further submits that no independent witness supported the seizure and mandatory legal procedures regarding search and seizure were not properly complied with. Though the petitioner has antecedent, he is already on bail in four cases and one bail application is pending for consideration. The petitioner is in custody since 09.03.2026.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with the fact that the alleged recovered liquor being 2.2 litres was recovered from the possession of co-accused Lallan Sahni, who is on bail, this court is inclined to release the petitioner on bail, accordingly, let the petitioner named-above be enlarged on bail in connection with Maker P. S. Case No. 28 of 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Rajiv/-

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