

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34224 of 2026

Arising Out of PS. Case No.-214 Year-2026 Thana- SARAIYA District- Muzaffarpur

1. Arun sahani Son of Late Sagar Sahni @ Ram Sagar Sahani R/o - Basaitha, Ps- Saraiya, Dist- Muzaffarpur
2. Devan Sahni @ Devnarayan Sahni @ Devnarayan Son of late Sagar Sahni @ Ram Sagar Sahani R/o - Basaitha, Ps- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Saraiya P.S. Case No. 214 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution story which has been lodged on the basis of the written report submitted by the informant to the effect that on 24.03.2026 while the informant was on patrolling duty along with police party at about 6:40 P.M. he received an information from the S.H.O. of the concerned police station with regard to manufacturing of illicit country made



liquor by the petitioners and one another. The informant along with police party approached the place of occurrence and upon seeing the police party, people from nearby locality assembled there. Upon search, total 215 litres of illicit country made liquor and two gas cylinders, were recovered from four sacks containing liquor in Ghoghiyar Chawar. A seizure lists was prepared in the presence of independent witnesses. The local people disclosed the name of the petitioners and one another, as the persons indulged in manufacturing and selling illicit liquor.

4. The learned counsel for the petitioners submits that the petitioners are innocent and they have got no concern with the seized liquor. Nothing has been recovered from the possession of the petitioners and the recovery has been made from an open place, which is accessible to one and all. The name of the petitioners transpired in the this case, only on the basis of the information given by the local people. He further submits that the co-accused Varun Sahni @ Varun Kumar, @ Barun Kumar has been granted the privilege of anticipatory bail by a learned Coordinate Bench of this court vide order dated 13.05.2026 passed in Cr. Misc. No. 31960 of 2026. He further submits that the petitioners have got clean antecedent.

5. The learned A.P.P. for the State opposes the prayer



for bail of the petitioners.

6. Having considered the rival submissions and after going through the records, it appears that 215 litres of country made liquor was found in an open place and the local people named the petitioners and co-accused Varun Sahni as the person who are involved in manufacturing and selling of country made liquor. Since the petitioners were not present at the place of occurrence, therefore, there is no question of recovery from them. Co-accused Varun Sahni has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court. Considering the above, let the petitioners, named above, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Muzaffarpur in connection with Saraiya P.S. Case No. 214 of 2026, subject to conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 with further condition:

(i) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal



antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. 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.

(Ritesh Kumar, J)

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