

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36754 of 2026**

Arising Out of PS. Case No.-236 Year-2026 Thana- EXCISE DANAPUR District- Patna

Aman Sahani S/o Lalit Sahani R/o Mohalla - Bihari Sao Lane Sabji Bagh,  
P.S. - Pirbahore, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-06-2026                      Heard Mr. Dhaneshwar Prasad Gupta, learned  
counsel for the petitioner and Mr. Lakshmi Kant Sharma,  
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
25.02.2026 in connection with Excise Danapur P.S. Case No.  
236 of 2026 for the offences punishable under Sections 30(a),  
32(3) of the Bihar Excise and Prohibition Act.

3. The case of the prosecution, in brief, is that on  
24.02.2026, the police chased and caught an E-rickshaw, two  
persons were also caught by the police from the said E-  
rickshaw, who told their name as Rohan Kumar and Aman  
Sahni. On search altogether 135 liters of illicit country made  
liquor was recovered from the said E-Rickshaw.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the E-Rickshaw in question. It is next submitted that petitioner is neither the owner nor the driver of the alleged E-Rickshaw in question and there is non-compliance of mandatory provisions of Section 103 of BNSS, 2023 and petitioner is in custody since 25.02.2026.

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

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 Special Excise Judge, Danapur in connection with Excise Danapur P.S. Case No. 236 of 2026, 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)**

Gaurav Sinha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

