

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35755 of 2026

Arising Out of PS. Case No.-19 Year-2026 Thana- KAMTAUL District- Darbhanga

Ajit Sahni S/o Gariban Sahni Resident of Village- Tataila, P.S.- Kamtaul,
Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 26-05-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kamtaul P.S. Case No. 19 of 2026, for allegedly having committed offence under Section 30(a) of Bihar Prohibition and 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 24.01.2026 at around 10:05 A.M., he along with other police personnel proceeded for maintaining law and order duty on the occasion of *Saraswati Puja* and for conducting raid against illegal liquor trade. At around 11:30 A.M., he received a secret information that Ajit Sahni (petitioner herein), Hriday Sahni, Suresh Sahni and Raju Sahni were



storing a large quantity of country made liquor in a pit near the orchard of Bhikari Sahni and are engaged in selling of illegal liquor. To verify the authenticity of the said information, the informant along with police personnel reached there. Upon seeing the police vehicle, five-six persons started running away and despite chase they managed to escape. Upon search being made of the place, total 70 liters of country made liquor was recovered and a seizure list was accordingly prepared. During course of seizure, the name of petitioner and other transpired, who fled away from the place of occurrence.

4. The learned counsel for the petitioner submits that total 70 liters of country made liquor was recovered from a pit near the orchard of one Bhikari Sahni, from which the petitioner has got no concern. He further submits that the liquor was seized from an open place, which is accessible to all. The name of the petitioner transpired in the present case, on the secret information received by the informant and the local *chaukidar*, who disclosed the name of the petitioner and other persons, who managed to escape from the place of occurrence. Neither the petitioner was present at the place of occurrence, nor he was involved in any trade of illegal liquor. The petitioner is an accused in two other cases of similar nature, in which he is



on bail.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner is an accused in two cases of similar nature and there is every probability that on his release on anticipatory bail, he will again indulge in same activity of selling illegal/illicit liquor.

6. Having heard the rival submissions and after going through the records, it appears that the petitioner was not present at the place of occurrence. His name transpired in the present case, only on the basis of secret information and the identification made by the local *chaukidar*. The alleged liquor was recovered from an open place, which does not belong to the petitioner. The petitioner has got two criminal antecedents of similar nature. Considering the facts and circumstances of the case, let the petitioner, above named, 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) with two sureties of the like amount each to the satisfaction of the learned In-charge Special Judge-I (Excise Act), Darbhanga in connection with Kamtaul P.S. Case No. 19 of 2026, subject to the conditions as laid down under Section 482(2) of the



B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

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