

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36084 of 2026

Arising Out of PS. Case No.-133 Year-2026 Thana- TARAIYA District- Saran

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Dinesh Sahni Son of Late Master Sahni Resident of Village- Panchbhinda,
P.S.- Taraiya, District- Saran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Perusal of the first information report and the
seizure list would go to show that 4 liters of country made liquor
is said to have been recovered from the bushes behind the house
of the petitioner.

4. It is submitted by learned counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner. The place of recovery is
an open place and easily accessible to anyone, hence no liability
can be fastened on the petitioner. There is no independent
witness to the search and seizure violating the mandatory
provisions of seizure. The petitioner is in custody since
28.04.2026.



5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has two criminal antecedents and out of two one is of similar nature of the offence, to which, learned counsel for the petitioner submits that the petitioner is on bail in one case and other is pending before the learned Court below.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is no recovery from the conscious possession of the petitioner coupled with the fact that there is non-compliance of mandatory provisions of seizure, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Taraiya P.S. Case No.133 of 2026, subject to the further conditions that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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