

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38918 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- KESARIA District- East Champaran

Muntun Sahni @ Mutun Sahni S/O Shital Sahni @ Shital Sahani Resident of
village - Banparua, P.S- Kesariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 274 and 275 of the BNS
read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases out of which three cases
are under the Excise Act and is in custody since 23.03.2026 and
allegation is of recovery of 196 liters of liquor from a sack at
village Bhagwatiya Chawar.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and even alleged
recovery is from a place which does not belong to the petitioner



and is accessible to public at large and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the period of custody, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Kesariya P.S. Case No. 16 of 2026.

(Satyavrat Verma, J)

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