

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40158 of 2026

Arising Out of PS. Case No.-261 Year-2026 Thana- PARSA District- Saran

Subodh Kumar @ Subodh Sahni S/o Sudarshan Sahni R/o - Baligaon, P.S -
Parsa, District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.05.2026 in connection with Parsa P.S. Case No. 261 of 2026
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. According to prosecution case, the informant
namely Baleshwar Singh alleged that on 11/05/2026 he along
with other police official had proceeded from station and was
doing vehicle checking near Parsa High School. That around
17:30, he received information that Rajesh Sahni is secretly
selling Alcohol and will be caught if necessary action would be
taken. Making Senior officers aware from the information, he
proceeded toward Anjani Mathiya, there he saw that a person



started fleeing away on seeing police vehicle. Informant tried to caught him with help of police team but he left his bag and succeeded in fleeing away taking advantage of Maize field. Local Chaukidar identified him as Rajesh Sahni. Local villagers gathered on seeing police action. Thereafter he searches the bag following the search procedure. On search, informant recovered 6.800 ml of Country made liquor. He requested from villagers to became independent witness to the seizure list but nobody agreed. Thereafter, making two members from police team as witness. seizure list was prepared. Thereafter, informant started returning to police station and, in the meanwhile, he received secret information that Brijesh Kumar is transporting Alcohol on motorcycle from Bankerwa toward Bhalwaliya and he will be caught, if necessary, action would be taken. Making Senior officers aware from the information, he proceeded toward Bhalwaliya Chowk and started checking of vehicle. During checking, he saw one motorcycle coming from Bankerwa side and on this signaled him to stop but motorcycle rider turn the Bhalwaliya with motorcycle increasing toward speed. Informant saw a sack tied on his back seat in the light of the torch. Thereafter, on suspicion, informant chase him with police team and caught him. Local villagers gathered on seeing police



action. On enquiry, apprehended person discloses his name as Brijesh Kumar. Thereafter, informant requested gathered people to become independent witness for search of motorcycle bearing registration no. BR 04 AH 6580, Chesis No. but nobody MBLJAW14XMHA01236 agreed for the same. Thereafter, making two members from police team as independent witness, search of the was made. On search. Motorcycle Informant recovered 100 litre of country made liquor from 5 polythene of 20 litre from sack kept behind motorcycle. Thereafter, seizure list of the seized article was prepared. On further enquiry about alcohol, Brajesh Kumar disclosed that he buys the alcohol from Subodh Sahni and he do the work of passing on his scooty. Thereafter, taking the seized item, informant returned to Police station. Thus, the FIR.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case on the basis of disclosure made by co-accused person, namely, Brajesh Kumar. 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 or from the house of the petitioner and he has been made an accused on the basis of disclosure made by co-accused person,



namely, Brajesh Kumar. Learned counsel for the petitioner next submits that petitioner is in custody since 13.05.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case but fairly submits that the petitioner is on bail in the pending matter.

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 Court of Exclusive Special Excise Court No. 3, Saran (Chapra) in connection with Parsa P.S. Case No.261 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/-

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