

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44017 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- DARBHANGA District- Darbhanga

Suraj Sahni @ Suraj Kumar Son of Satrohan Sahni @ Satrugan Sahni
Resident of Village - Shivajee Nagar, P.S. - Town, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Darbhanga Town P.S. Case No. 80 of 2026, registered for the offences punishable under Sections 30(a), 32, 41(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Acting on a tip off regarding trafficking and storage of illicit wine near old godown at Shivaji Nagar when the police conducted a raid, they found two persons were carrying illicit wine on motorcycle. However, noticing the police party, one person succeeded in fleeing away. The apprehended person disclosed the name of the petitioner as the person who succeeded in fleeing away. On search, total 149.94 litres of foreign liquor and 6 litres of Nepali country made wine were



recovered.

4. Learned Advocate for the petitioner submitted that from perusal of the FIR it is evident that the illicit wine has been recovered from the godown of one Rakesh Kumar, who was apprehended at the spot. The petitioner has neither any concern with said Rakesh Kumar nor with the godown from where recovery has been made. Save and except the disclosure made by co-accused Rakesh Kumar, there is no material which suggests any complicity of the petitioner in crime. The witnesses to the seizure are none else but the police personnels which also smacks malafide. It is the contention of the learned Advocate for the petitioner that his name has been implicated only on account of two previous criminal antecedent of identical nature.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the disclosure of the name of the petitioner by co-accused, besides his identification at the place of occurrence clearly suggests his involvement in the crime.

6. Having considered the submissions advanced on behalf of the respective parties and considering the fact that the alleged recovery has been made from a godown which belongs



to the co-accused, besides there is no other cogent material which attracts the rigors provided under Section 76(2) of the Bihar Prohibition and Excise (Amendment) Act, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Darbhanga in connection with Darbhanga Town P.S. Case No. 80 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

