

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45611 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- Jaitpur District- Muzaffarpur

1. Indal Sahni S/o Rampravesh Sahni Resident of Village- Dhanpura, P.S.- Jaitpur, District- Muzaffarpur.
2. Ramesh Sahni Son of Jaikaran Sahni Resident of Village- Dhanpura, P.S.- Jaitpur, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Ms. Nitu Kumari, Adv. Mr. Yogendra Kumar Singh, Adv. Mr. Ratneshwar Prasad, Adv.
For the Opposite Party	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR

and apprehending their arrest in connection with Jaitpur P.S.

Case No.86 of 2026 registered under Sections of 274 and

275 of Bharatiya Nyaya Sanhita (hereinafter referred as
'B.N.S.', 2023) and 30(a) of Bihar Prohibition and Excise

Act.

3. Allegation against the petitioners is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 145 litres of IMFL/country-made liquor.



4. It is submitted by learned counsel appearing for the petitioners that alleged recovery of illicit liquor was made from the bushes(jhari) which is an open place accessible to general public. It is also submitted that the name of these petitioners arrayed solely on the disclosure made by the local *chowkidar*. It is further argued that recovery of illicit liquor was not made from conscious possession of these petitioners. It is pointed out that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Both petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioners.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of these petitioners, who are man of clean antecedent, accordingly, both petitioners, above-named, in the event of their arrest or surrender in the court below within a period of four weeks from today, are directed to be released on bail on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court- II, Muzaffarpur, in connection with Jaitpur P.S. Case No.86 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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