IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76397 of 2026

CNR No. BRHC011101912026

Arising Out of PS. Case No.-435 Year-2026 Thana- PARSA District- Saran

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Baharan Sahni @ Birendra Kumar Son of Subhash Sahni @ Suvas Sahani Resident of village - Baligaon, Police Station - Parsa, District - Saran (Chapra).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 05-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Parsa P.S. Case No. 435 of 2026 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 80 litres of illicit liquor was recovered near *Hanuman Temple, Kohra Mathiya*.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Learned counsel further

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submitted that recovery of illicit liquor has been made near the *Hanuman Temple, Kohra Mathiya*, which is an open space and is easily accessible by anyone. Petitioner has no concern either with the place of recovery or with the alleged recovered liquor. On these grounds, the petitioner seeks to be released on pre-arrest bail

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that recovery of illicit liquor has been made near the *Hanuman Temple, Kohra Mathiya*, which is an open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioner has, *prima facie,* made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court where the case is

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pending in connection with Parsa P.S. Case No. 435 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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