IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80667 of 2026

CNR No. BRHC011133832026

Arising Out of PS. Case No.-306 Year-2021 Thana- GOVERNMENT OFFICIAL COMP. District- Sheohar

==========

Prem Sahni S/o Ramchandra Sahni R/o Village- Belwa Narkatia, P.S- Piprahi, Distt.- Sheohar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with C2 Case No. 306 of 2021 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR, the police recovered around 285 litres of Nepali country liquor from the *diara* area of Bagmati river.

4. Learned counsel for the petitioner submits that the petitioner has not been apprehended at the place of occurrence and that nothing has been recovered from his conscious

WEB COPY

possession and admittedly, the recovery has been made from an open place which is not owned by the petitioner and can be easily accessed by the public at large. It has also been submitted that the petitioner has only been implicated because of his criminal antecedents of similar nature. It has lastly been submitted that the petitioner carries three criminal antecedents of similar nature and he in custody since 19.09.2026.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, 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 below where the case is pending/successor court in connection with C2 Case No. 306 of 2021, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms

WEB COPY

of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Sheohar within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After

WEB COPY

reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

aditya/-

U		T	

WEB COPY