IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77782 of 2026

CNR No. BRHC011137742026

Arising Out of PS. Case No.-520 Year-2022 Thana- BAHADURPUR District- Darbhanga

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Baiju Sahni S/o Late Hazari Sahni Resident of Village- Ammadih, P.S.- Bahadurpur, Dist- Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Saurav Anand, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bahadurpur P.S. Case No. 520 of 2022 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 272 and 273 of BNS.

3. The case of the prosecution, in short, is that from the the asbestos house of this petitioner, altogether 50 liters of illicit country made liquor was recovered.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered

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from his conscious possession. He has no concern with the alleged recovery. He was not present at the place of occurrence. The alleged house from where the recovery has been made, is a joint property.

5. Learned APP has opposed the prayer for bail of the petitioner and has submitted that from perusal of the seizure list, it is clear that the recovery of liquor has been made from the house of this petitioner, as such, he does not deserve the privilege of anticipatory bail. He has further submitted that the petitioner is also having criminal antecedent of one case.

6. Accordingly, the application for grant of anticipatory bail to the petitioner is not maintainable in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar** reported in **2019(2) P.L.J.R. 1089 (F.B.).**

7. Considering the aforesaid facts of this case, I am not inclined to extend the privilege of anticipatory bail to the petitioner. As such, his prayer for anticipatory bail stands rejected.

(Ashok Kumar Pandey, J)

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