

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.939 of 2026

Arising Out of PS. Case No.-296 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Shambhu Sahni Son of Late Bharat Sahni Resident of Village - Kaithma,
Karpuri Nagar, P.S.- Muffasil, District - Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. Let the defect/s pointed out by the Office be
ignored.

3. The petitioner seeks bail in connection with
Muffasil PS Case No. 296 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that 5.8 liters
liquor was recovered from ditch.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 20.11.2025 and has got seven criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil PS Case No. 296 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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