

**N THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7583 of 2022**

Arising Out of PS. Case No.-113 Year-2021 Thana- PURNAHYA District- Sheohar

Ravi Sahani son of Yogi Sahani R/O Village- Piparahi Punarwas, P.S.-  
Purnahiya, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the State : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      01-07-2022                      Heard learned counsel for the parties thorough virtual  
Court proceedings.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Purnahiya  
P.S. Case No. 113 of 2021 registered for the offence under  
Section 30(a) of the Bihar Prohibition and Excise (Amendment)  
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 31.08.2021.

The allegation against the petitioner is to have  
involved in the illegal business of illicit liquor, where there was  
recovery of 375 liters of Nepali Saufi wine.

Learned counsel appearing on behalf of the petitioner  
submitted that the name of the petitioner surfaced on the basis



of disclosure made by local chowkidar. It has been submitted that the recovery has been made from an open place. It has been submitted that petitioner is involved in one another criminal case, in which he is on bail. It has also been submitted that nothing incriminating was recovered from the conscious physical possession of the petitioner in furtherance of the disclosure made by the local chowkidar. It has been pointed out that charge-sheet has already been submitted in this case, as such, there is no chance of tampering of evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded the fact that the said recovery was made from open place.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor is not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Purnahiya P.S. Case No. 113 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Excise Judge-II, Seohar, subject to the following conditions:



“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Sunaina Devi, who is the mother of the petitioner and deponent of the present bail petition.”

**(Chandra Shekhar Jha, J)**

Ankit/-  
Shashank/-

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