

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63088 of 2023**

Arising Out of PS. Case No.-55 Year-2023 Thana- BHANGHA District- West Champaran

1. Bala Sahani Son of Badri Sahani Resident of Village- Pidari, PS- Inarwa, Distt- West Champaran
2. Birdev Sahani @ Birendra Sahani @ Birendra Chaudhary Son of Sri Dhuri Sahani Resident of Village- Pidari, PS- Inarwa, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sagar Kumar, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      06-10-2023                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Bhangaha P.S. FIR No. 55 of 2023 dated 07.07.2023 instituted for the offences under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, police, on receipt of secret information, intercepted a motorcycle which was being driven by two persons. On seeing the police party, both of them tried to flee away unsuccessfully and were apprehended by police. On search, two gallons containing 80 (50+30) litres of



country made liquor was recovered. The CB Shine Motorcycle bearing Registration No. BR22AD-7449 was also seized by police. On query, both the apprehended accused persons disclosed their names as Bala Sahani and Birdev Sahani @ Birendra Chaudahry (petitioners in this case).

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that the seized country made liquor has not been recovered from the conscious possession of the petitioners. The petitioner no.1 has three criminal antecedents whereas the petitioner no.2 has five criminal antecedents as stated in paragraph no.3 of the present bail petition. The petitioners are in judicial custody since 08.07.2023.

5. Learned APP has vehemently opposed the bail petition of the petitioners.

6. Considering to the entire facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, West Champaran at Bettiah in connection with



Bhangaha P.S. FIR No. 55 of 2023 subject to condition that the petitioners shall remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners shall liable to be cancelled.

**(Chandra Prakash Singh, J)**

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