

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66392 of 2023**

Arising Out of PS. Case No.-45 Year-2023 Thana- PIPRAKOTHI District- East Champaran

SAHEB SAHNI @ SAHEB CHAUDHARY Son of Mahesh Sahani R/o vill -  
Hathiyahi, P.S. - Piprakothi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate.  
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      18-10-2023                      Heard Mr. Kundan Rathore @ Kumdan Kumar,  
  
learned counsel appearing on behalf of the petitioner and Mr.  
  
Sanjay Kumar Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Piprakothi P.S. Case No. 45 of 2023 registered for the  
offence punishable under Sections 272, 273 and 308/34 of the  
Indian Penal Code and Sections 30(a), 32, 36 and 41(1) of the  
Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 80 litres of country  
made liquor from the open field of Seth Sahani situated in the  
village Hathiyahi.

4. Learned counsel appearing on behalf of the  
petitioner submits that the petitioner is innocent and he has  
falsely been implicated in the case at the instance of his enemy.



Nothing has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor nor manufacturing or smuggling of the illicit liquor. The place of recovery is an open place which is easily accessible to anyone.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, East Champaran, Motihari in connection with Piprakothi P.S. Case No. 45 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

mantreshwar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

