

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37811 of 2024

Arising Out of PS. Case No.-235 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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MITHILESH SAHNI @ MITHILESH KUMAR S/O RAJESH SAHNI @
MAHENDRA SAHNI R/O VILLAGE- CHICHURAHYA, P.S-
BANJARIYA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Ajay Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Motihari Excise P.S. Case No. 235 of 2020 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 14 litres of country
made chulai liquor and 200 litres of pass from the bank of
Tilawe river.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case. He has no concern either with the seized liquor or



trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appear to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Having considered the rival submissions made on behalf of the parties and the nature of allegation 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 No.2, East Champaran at Motihari in connection with Motihari Excise P.S. Case No. 235 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and further condition that one of the bailors shall be Mukhiya / Sarpanch of the Gram Panchayat to



which the petitioner belongs.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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