

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6582 of 2025

Arising Out of PS. Case No.-1181 Year-2024 Thana- Excise P.S. District- East Champaran

Dharni Sahani S/o- Arjun Sahani Village- Mehwa Ps- Sugauli District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is languishing in custody in above
case registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, recovery of total 132
litres of country made liquor has been made from three
motorcycles. On the place of occurrence, only one accused
namely Suman Kumar was apprehended who revealed the name
of this petitioner that he was assisting him on the alleged date of
occurrence, and the petitioner managed to escape.

4. Learned counsel for the petitioner submits that the
petitioner is innocent, and has falsely been implicated in this
case due to village politics and the petitioner is remanded on
25.10.2024 from Sugauli P.S. Case No. 467 of 2021. Learned



counsel further submits that the name of this petitioner has come in this case on the confessional statement of one arrested person namely Suman Kumar made before the police. Learned counsel also submits that the alleged motorcycle does not belong to the petitioner and he didn't know anything about the recovered illegal wine.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. The name of the petitioner has come/figured in this case on the confessional statement of the co-accused Suman Kumar and no recovery has been made from the conscious possession of the petitioner. Moreover, the other co-accused has also been granted anticipatory bail by this Court in Cr. Miscellaneous no. 75529 of 2024 vide order dated 22.11.2024. Keeping in view the aforesaid facts, this court is inclined to release the petitioner on bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, East Champaran at Motihari, in connection with Excise P.S. Case No. 1181 of 2024 subject to following conditions:-



(i) one of the bailor should be the family member/relative of the petitioner.

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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