

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10939 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- SUGAULI District- East Champaran

1. Birendra Sahani Son of Ramji Sahani Resident of Village - Konwa Tola Bheriyari, P.S. - Sugauli, District - East Champaran
2. Arjun Sahani @ Arjun Kumar Son of Munilal Sahani Resident of Village - Konwa Tola Bheriyari, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-03-2025 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to petitioner No. 1 as during pendency of the case, he has already been arrested.

2. Permission is granted.

3. This anticipatory bail application with regard to petitioner No. 1 is, accordingly, dismissed as withdrawn.

4. Heard learned counsel for the petitioners and the State.

5. Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 30(a), 30(f) of the Bihar Prohibition and Excise Act.



6. As per prosecution case, 44 litres country made liquor was recovered from an open place.

7. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner and he has been made accused only on suspicion. Petitioner has got one criminal antecedent of similar nature in which he is on bail.

8. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Sugauli P. S. Case No. 106 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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