

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8378 of 2025

Arising Out of PS. Case No.-477 Year-2024 Thana- SUGAULI District- East Champaran

Samundar Sahani @ Samundra Kumar Son of Harelal Sahani Resident of
Village -Godigawa PS -Sugauli District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Sugauli P.S.

Case No. 477 of 2024 registered for the offences punishable

under Sections 30 (a) and 30 (f) of the Bihar Prohibition and

Excise Act.

3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 80 litres of IMFL/country made

liquor and 150 litres of semi prepared liquor which was



destroyed at the spot itself.

4. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner transpired in the present case as disclosed by local chokidaar. It is submitted that illicit liquor was semi prepared and was seized from the bank of *Sikrahan River* which is an open place and easily accessible by general public, therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of petitioner. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on



bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 1, East Champaran, Motihari/concerned Trial Court where the case is pending in connection with Sugauli P.S. Case No. 477 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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