

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11368 of 2025

Arising Out of PS. Case No.-704 Year-2024 Thana- HARSIDHI District- East Champaran

Ramesh Sahani S/O Nageshwar Sahani Resident of Ujjain Lohiar, Malahi
Tola, P.S.- Harsidhi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Harsidhi PS Case No. 704 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 40 litres
of country made liquor was recovered out of which 30 litres of
liquor was recovered from the house of the petitioner and 10
litres of liquor was recovered from the hut of co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from an open place, which is accessible to one and all. It is further submitted that recovery is made from the joint house of the petitioner where the other family members also reside. The petitioner is in custody since 23.12.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Harsidhi PS Case No. 704 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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