

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16987 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

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1. Awadhesh Sahani S/o- Dashrath Sahani Village- Semuappr @ Sembhuapur Ward No 6 PS- Dumariaghat, Dist- East Champaran
 2. Mukesh Sahani @ Pandit S/o- Dashrath Sahani Village- Semuappr @ Sembhuapur Ward No 6 PS- Dumariaghat, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 75 litres illicit liquor was recovered from sugarcane stock near *Bathan* of the petitioners.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners and they have been made accused only on suspicion. He further submits that *Bathan* is an



open place, which is accessible to one and all. Petitioners claim clean criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, place of recovery and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their 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) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 03, East Champaran, Motihari in connection with Dumariaghat P. S. Case No. 13 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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