

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22570 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- PATKHAULI District- West Champaran

Vijay Sahani @ Vijay Kumar Sahani, S/o- Tarachndra Sahani, resident of Village-Sastri Nagar, Ward No-13, Bagaha, P.S.- Patkhauli Dist-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Pathkauli P.S. Case No.10 of 2025 registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 17.64 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the alleged illicit liquor said to be recovered from front of the house of this petitioner, which was kept inside wooden logs. It is submitted that the place of recovery as per



seizure list appears an open place and accessible by general public and, therefore, it can be safely said that the recovery was not made from conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact, as alleged recovered illicit liquor *prima facie* not appears to be made from 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 in the court below within a period of four weeks from today is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran in connection with Pathkauli P.S. Case No. 10 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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