

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18286 of 2025**

Arising Out of PS. Case No.-172 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Budhan Sahani @ Budhhan Singh @ Budan Sahni Son of Sukhdev Sahani @
Sukdev Sahni Resident of Village - Sihorwa (Balua Tola), P.S. - Jadopur
(Yadopur), District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Vishambharpur P.S. Case No. 172 of 2023 dated 02.09.2023 for the offences punishable u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 439.500 litres of illicit country made liquor was recovered from the boat.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said boat and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted anticipatory bail by



this court vide order dated 23.01.2024 passed in Cr. Misc. No. 84550/2023. The petitioner has 12 criminal antecedents as stated in para 2 of the supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody since 08.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Vishambharpur P.S. Case No. 172 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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