

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19143 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- MEHSI District- East Champaran

1. Ram Balak Sahani, aged about 45 years (Male), S/O Late Lalo Sahani
2. Vijay Sahani @ Vijay Kumar Sahani, aged about 40 years (Male), S/o Prabhu Sahani, Both are Resident of Village - Chakarsul, P.S.- Mehshi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Rahul Singh, learned counsel appearing on behalf of the petitioners and Mr. Pradeep Narain Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Mehshi P.S. Case No. 11 of 2025 registered for the offence punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 90 litres of illicit foreign liquor from the house of one co-accused, namely, Sanjay Kumar Sahani.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Petitioners have no concern either with the co-accused from whose house the



alleged liquor was recovered or with the alleged seized liquor nor he is involved in trade of liquor in any manner. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioners cannot be ruled out from illicit trade of liquor.

6. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-3, East Champaran, Motihari, in connection with Mehsi P.S. Case No. 11 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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