

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26399 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- SUGAULI District- East Champaran

Gulab Sahani S/o Late Yugeshwar Sahani R/o Vill.- Mehwa, P.S.- Sugauli,
District- East Champaran, Motihari Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Trial No. 209 of
2025 arising out of Sugauli P.S. case No. 119 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 45 liters
liquor was recovered near the bank of river.

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 the local chowkidar disclosed



the name of the petitioner. It is further submitted that recovery is made from an open place accessible to one and all. The petitioner is in custody since 21.01.2025 and has got two criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Trial No. 209 of 2025 arising out of Sugauli P.S. case No. 119 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance



on two consecutive dates, the Trial Court will have liberty
to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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