

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23561 of 2025

Arising Out of PS. Case No.-223 Year-2024 Thana- RAJEPUR District- East Champaran

1. Ruplal Sahni S/o Ramkishun Sahani Resident of village- Mahammadpur, Majhauriya, P.S.- Rajepur, District- East Champaran
2. Lalbahadur Sahni S/o Ramchandra Sahani Resident of village- Mahammadpur, Majhauriya, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Rajepur P.S. Case No. 223 of 2024 lodged on 22.10.2024, for the offence punishable under Sections 274 & 275 of the Bharatiya Nyaya Sanhita, 2023 read with section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against both the petitioners. Total recovery of 20 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that nothing has been recovered from the possession of the petitioners and their name has come in this



case only by virtue of the disclosure made by the villagers. Counsel submits that the alleged liquor has been recovered from the bush which is a public place. Counsel further submits that the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Excise Court no-3, Motihari, East Champaran, in connection with Rajepur P.S. Case No. 223 of 2024 , subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Divyansh/-

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