

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23723 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Chhabila Sahani @ Chhabila Chaudhary S/o Mahesh Sahani @ Mahesh Chaudhary R/o Vill- Hathiyahi, Ward No. 9, P.S.- Pipra Kothi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Piprakothi P.S. Case No. 307 of 2024, instituted for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 50 liters liquor was recovered out of which 40 liters liquor was recovered from bamboo orchard and the petitioner was apprehended on spot.

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. Learned counsel for the petitioner also submits that the alleged recovery has been made from bamboo orchard which is an open place and the same is easily accessible to public at large. The petitioner is in custody since 04.12.2024 and has got nine criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Piprakothi P.S. Case No. 307 of 2024.

(Rudra Prakash Mishra, J)

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