

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24728 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- SUGAULI District- East Champaran

1. Mukesh Sahani S/o Shivpujan Sahani R/o Village- Telahiya, P.S.- Sugauli, District- East Champaran, Motihari
2. Anavat Sahani S/o Baran Sahani R/o Village- Telahiya, 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. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sugauli PS Case No. 31 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 120 liters country made liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that petitioner No.1 was arrested on the spot, who disclosed the name of the petitioner No.2. Learned counsel for the petitioner submits that motorcycle in question does not belong to the petitioners. The petitioner No.1 is in custody since 17-01-2025, whereas petitioner No.2 is in custody since 30-01-2025. Petitioner No. 1 bears two criminal antecedents, whereas petitioner No.2 is a man of clean antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli PS Case No. 31 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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